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ON
EARLY IRISH HISTORY



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LECTURES
ON THE
HISTORY OF IRELAND,

DOWN TO A. D. 1534.

BY

A. G. RICHEY, ESQ.

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P R E F A C E .

THESE Lectures, delivered to the Pupils of the Alexandra College during the Hilary and Easter Terms of 1869, were not originally intended for publication.

Their object was to popularize the study of Irish history, to free it, in some degree, from the tediousness and monotony of which it is accused, and by treating it in distinct periods, concisely to state the results of the prevailing political and social ideas.

1867-78



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LECTURES ON IRISH HISTORY.

LECTURE I.

THE CELTS AND THE TRIBAL SYSTEM.

IN every system of national education on the Continent the history of their native country is considered a necessary subject of instruction for the young. In France a French history for the use of schools has been compiled, and is regularly written up under government direction. The case is otherwise in Ireland. The young of this country are left in absolute ignorance of the history of their forefathers. There do not even exist books suitable for instruction in this department. The indifference of the middle classes upon this subject is so great, that no author with a reasonable prospect of success attempts to publish an Irish history. Two reasons are alleged for this anomaly. We are told that a knowledge of Irish history is *dangerous*; and further, that the history itself is *useless and uninteresting*. I maintain, on the contrary, that a knowledge of the truth is never dangerous, though ignorance may be so; and still more so is that half knowledge of history which enables political intriguers to influence the passions of their dupes, by misleading them with garbled accounts of the past, so inaccurate that they would be rejected with

contempt by their readers, if they knew anything of the matter at all. I do not confine these observations to the writers of any creed or politics.

I deny that the history of Ireland is either dangerous to learn, or uninteresting, or unprofitable to study; so far from exasperating the feelings of those who have honestly engaged in it, the study of Irish history does not excite political animosity, but leads to the very opposite result. Thoroughly to appreciate the history of this or any country, it is necessary to sympathize with all parties—to understand their prejudices, their difficulties, and their errors. Those who take an interest in the subject must feel a warm sympathy for the tragic decay and ruin of the noble Celtic nation, but will feel an equal sympathy for the gallant Norman gentlemen, who, turning their backs upon France and Italy, were wafted by an ill wind to this country, and thus involved in a net of difficulties common to themselves and the conquered. To understand the wars of Elizabeth, we must appreciate the difficulties and high aims of the Tudor statesmen, while we mourn over the despairing struggles of the last Irish prince. We must understand the perplexity of the Catholic noblemen of the Council of Kilkenny, and the loyal Protestantism of the Duke of Ormonde. We all must respect those stern men who maintained their religion and the English connexion behind the walls of Derry, but we should at the same time sympathize with the faith and loyalty of the high-born gentlemen who abandoned home and wealth for their Church and their King. A study of Irish history teaches us sympathy for all Irish parties.

We are further told that Irish history is useless and uninteresting: this, again, I deny. Placed far away in the Western Ocean, Ireland was not the scene of any of the

struggles which decided the destiny of Europe ; Ireland has not produced historians of genius, whose chronicles take a place in universal literature. The great battles of history have not been fought, nor the great battles of politics decided on Irish soil ; but in Ireland almost every system, social and political, has been successively tried, and found wanting. The characteristics of political systems are often better tested by failure than by success. The glory of temporary success hides the weakness of a form of government, but the history of its decay discloses the radical errors. As has been observed, in Ireland every system, social and political, during the Middle Ages met with equal failure. The tribal system was crushed before it was developed into the results which arose in other countries ; it ended in barbarism and confusion. The feudal system was introduced in its strictest theory, and ended in utter anarchy. The high aims and lofty ideas springing from the notion of Divine right, and combining force and justice, which were maintained by the Tudors, were tried in Ireland, and terminated in tyranny and disorder. The history of these failures cannot but be instructive. Irish history resembles that of Spain during the last three centuries, described by a modern writer as the elaboration of all those ideas of law and political economy, according to which a nation should not be governed. In the present series of Lectures it is not attempted to detail the facts of Irish history, but rather to indicate the several standpoints from which it should be regarded, and the spirit in which it should be investigated. Irish history may be divided into the following periods :—First—The mythical or traditional, extending from remote antiquity down to the introduction of Christianity into the country. Secondly—The Christian Celtic, from the arrival of St. Patrick until the Norman invasion of Ireland.

Thirdly—The Norman invasion and colonization during its period of vigour and apparent success, from 1170 to 1315. Fourthly—The history of the Norman colony during the period of its failure and weakness, from 1315 to 1534. Fifthly—The Tudor government of Ireland, from 1534 to 1603. Sixthly—The Stuart government in Ireland, including the period of Cromwell, from 1603 to 1690; and, lastly, the period of Protestant ascendancy, ending with the Union. The present Lectures are intended to deal with the first three periods, and partially with the fourth. It is not, perhaps, advisable at present to include in them the latter and more exciting portion of Irish history.

In considering the history of a country, our attention must first be drawn to the geographical position and divisions of the country, its natural products, and their effect upon its inhabitants; secondly—The race and natural qualities of that subdivision of the human species who occupied it.

The former of these heads may be conveniently postponed until a subsequent lecture, treating of the Norman Conquest. As to the former, whatever may be the nature of the early immigrations into Ireland, during the historical period the inhabitants of the island appear as a pure Celtic race. There is no such difference of language or structure among them as would authorize us in attributing any portion of them to a separate origin. Who were the Celts? and what their peculiar characteristics?

It is difficult fairly to answer this question. The Celts are generally considered as one of the beaten nations of the world, as the great historical failure. It may be doubted whether the past history justifies this opinion—still more, whether future history will confirm it.

As the necessary consequence of the prevalence of this idea, German and English historians have studiously de-

preciated the Celts; and, in opposition to them, Irish writers have as extravagantly praised them. When we first hear of the Celts, they appear as a great and conquering nation. Thronging the valley of the Danube, they thence flooded Gaul, and broke into Greece and Italy; from Gaul they spread northward, and occupied the British Islands. For ages they were a terror to the Greek, and equally so to the Roman. They were the great recruiting ground from whence the Carthaginians and other nations hired their mercenaries; but suddenly the whole Celtic nationality was crushed. They were hard pressed by the Germans on the east, when Cæsar assailed them on the south: a few short years saw Gaul conquered and civilized, according to Roman ideas. The fate of the Celts in England was similar to that of those in Gaul. The only independent remnant of the nation were the Irish Celts and those who still held out in the north of Scotland.

Was it the peculiar character of this nation which led to this catastrophe? Two characters have been drawn of the Celtic people—the one most hostile, by Mommsen, their depreciator; the other friendly, by Monsieur Thierry, the historian of the Gaulic Celts.

The following passage occurs in the seventh chapter of the fifth book of Mommsen's "History of Rome":—"All was over with the Celtic nation; its political annihilation had been completed by Cæsar; its national annihilation was already begun, and in regular progress. This was no accidental destruction, such as destiny sometimes prepares even for people capable of development, but a self-incurred, and in some measure, historically necessary catastrophe. The very course of the war proves this, whether we view it as a whole or in detail. When the

establishment of foreign rule was in contemplation, only single districts, mostly German or half-German, offered energetic resistance. When the foreign rule was absolutely established the attempts to shake it off were either undertaken altogether without judgment, or they were to an undue extent the work of prominent nobles, and were therefore immediately and entirely brought to an end with the death or capture of their leader. The sieges and guerrilla warfare, in which, elsewhere, the whole moral depth of a nation's struggle displays itself, were and remained in the Celtic struggle of a peculiarly pitiful character; every page of Celtic history confirms the severe saying of one of the few Romans who had the judgment not to despise the so-called barbarians, ' that the Celts boldly challenge danger while future, but lose their courage before its presence.

" In the mighty vortex of the world's history, which inexorably crushes all nations that are not as hard and flexible as steel; such a nation could not permanently maintain itself. With reason, the Celts of the Continent suffered the same fate at the hands of the Romans as their kinsmen in Ireland suffer down to our own day at the hands of the Saxon—the fate of becoming merged as a leaven of future development in a politically superior nationality. On the eve of parting from this remarkable nation, we may be allowed to call attention to the fact, that in the accounts of the ancients as to the Celts on the Loire and Seine we find almost every one of the characteristic traits which we are accustomed to recognise as marking the Irish. Every feature reappears; the laziness in the culture of the fields, the ostentation, the droll humour, the hearty delight in singing and reciting the deeds of past ages; the most decided talent for rhetoric and poetry; the curiosity—no trader was allowed to pass until he had

old in open street what he knew or what he did not know; the extravagant credulity which acted on such accounts, the childlike piety which sees in the priest a father, and asks him for advice in all things; the unsurpassed fervour of national feeling, and the closeness with which those who are fellow-countrymen cling together, almost like one family, in opposition to a stranger; the inclination to rise in revolt under the first chance leader that presents himself, and to form bands, but at the same time the incapacity to preserve the self-reliant courage, equally remote from presumption and from pusillanimity to perceive the right time for waiting and for striking; to attain, or even to tolerate any organization, any sort of fixed military or political discipline. It is, and remains at all times and all places, the same indolent and poetical, irresolute and fervid, inquisitive, credulous, amiable, clever, but in a political point of view, thoroughly useless nation; and therefore, its fate has been always and everywhere the same."

Contrast with this the character of the same nation, as drawn in the introduction to the first volume of the "History of the Gauls":—"The characteristics of the Gaulic family, those which distinguish it the most, in my opinion, from other human families, may be summed up as follow: Personal bravery unequalled amongst ancient nations, a spirit free, impetuous, open to all impressions, remarkably intelligent; but, side by side with this, an extreme susceptibility, want of perseverance, marked dislike to the idea of discipline and order (so strong among the German nations), extreme ostentation, and, in fine, perpetual dissension, the fruit of excessive vanity. If we desire to compare, in a few words, the Gaulic nation with the Germans of whom we have been just speaking, we might say that among the

former the personal sentiment, the idea of self, is too much developed, and among the latter it is too little so. Thus in every page of the history of the Gauls we find original characters which vividly excite and concentrate upon themselves our sympathies, while they cause us to forget the existence of the masses of the nation. It is otherwise in the history of the Germans, "where it is from the masses generally that great national movements originate."

Two characters of the Celtic race are thus laid before us —the one hostile, the other friendly. If I were addressing an English audience, I should not, perhaps, have read in full the passages from Mommsen; but, speaking to an Irish audience, it is better to present to them the uncomplimentary remarks of a German historian.

The unfriendly criticisms of a neighbour, equally intelligent, and fully as prejudiced as ourselves, are useful in teaching us the weak points of our character: it is well to know what our neighbours think of us. Yet it may be fairly contended that the failure of the Celtic race is not so much attributable to the inferiority of their organization to other races, as to the fact of their possessing, to a certain degree, a higher organization. The key to the latter character may be found in their peculiar susceptibility. As contrasted with the Teuton, the Celt possesses a peculiar susceptibility of emotion, and a peculiar rapidity of perception, so much that it may be almost said that an idea has passed away from the mind of a Celt before a Saxon begins to understand it at all. But this has an unfortunate result in practice, because it too often amounts to an incapacity of holding an idea for a long period. One thought rapidly conceived is as rapidly effaced by another, which produces an equally vivid and transient impression. The Celt conceives ideas rapidly and clearly, but forgets them as easily.

He is brilliant, but not persevering; his thoughts are vivid, but not enduring. This is marked in the whole history of the Gallic race, and particularly in the want of tenacity exhibited by them in their struggles with Rome, and in modern history by the half-Celtic French in many of their wars. The broadswords of the Gallic hosts, with one rush, swept the Roman legions from the battle-field of the Allia; but their army sickened in the blockade of the Capitol, and, for a paltry ransom, spared their future destroyer. The fate of Gaul was decided by the siege of Alesia, and their independence perished in one short struggle. The character of their national resistance was embodied in their last hero. Upon this point may I again cite Mommsen. “As Hannibal stands at the close of the Phœnician history, so does Vercingetorix at the close of the Celtic; they were not able to save the nations to which they belonged from a foreign yoke, but they spared them the last disgrace of an inglorious fall. The whole ancient world presents no more genuine knight, whether as regards his essential character or his outward appearance, but man ought not to be a mere knight, and least of all the statesman. It was the knight, not the hero, who disdained to escape from Alesia. It was the knight, not the hero, who gave himself up as a sacrifice. It is impossible to part from the noble King of the Averni without a feeling of historical and human sympathy; but it is characteristic of the Celtic nation that its greatest man was, after all, merely a knight.”

At the end of the fifteenth century, the French swept all resistance before them in Italy. The Italians dreaded the astonishing *furia Francesca*; but after a few months every French conquest collapsed, from the want of steady perseverance.

The same characteristics appear in Celtic art and literature. Irish poetry consists of exquisite lyric outbursts ; but, alone of all nations of Europe, the Celts do not possess an epic poem which takes an acknowledged place in universal literature.

As to Celtic music, the separate airs handed down from remote antiquity are unequalled in variety, tenderness, and expression ; but Irish music has never risen beyond an air ; operas, oratorios, and concerted pieces have been produced by people of inferior sympathies, but greater industry.

In Irish architecture, the most exquisite and elaborate carvings are lavished upon buildings of insignificant size. Cormac's Chapel on the Rock of Cashel, the largest of ancient Irish buildings, excels, certainly rivals, any French or English-Norman work, but its size is that of an ordinary church. It was for a patient, hopeful, long-enduring people to raise the cathedrals of the Middle Ages, the foundations of which were laid by those who knew that their grandchildren would never see their completion. The toil of now nigh six centuries expended on Cologne Cathedral testifies the faith and perseverance of the German people. The fierce impulse of Celtic art expended itself in the carving of a doorway, or the illumination of a manuscript.

The chief political historical characteristic of Celtic nations is a want of perseverance in exertion to attain a given end, and inability permanently to unite for any definite object ; but want of active perseverance must be distinguished from what we may call the passive resistance in old ideas. Though the Celts do not exert a continued effort to accomplish a given object, yet they will cherish a fixed desire to attain that which they have failed to accomplish. Ancient traditions and national longings form the staple of their

political ideas to such an extent, that they do not appreciate existing circumstances, and fail to adapt themselves to an altered state of things.

What are our sources of knowledge as to the early history of this Celtic people? I have styled the first period of their history mythical, and have done so advisedly. What is a myth? It is a relation of supposed facts of uncertain date, and unaccredited by the name of any author—which is handed down from generation to generation, and claims to be believed merely because it has been believed. Modern criticism refuses to credit histories of kings, invasions, and battles, where it is impossible to discover how the narrator of them could know anything upon the subject. It may be said that he learned it by tradition. A few examples will show how tradition fails to retain the record even of recent events. Bede wrote his Ecclesiastical History 285 years after the coming over of the Saxons. He practically knows nothing of the Saxon invasion, nor of English history down to the arrival of Augustine. In the Irish Gildas we have minute accounts of imaginary personages, but an astounding ignorance of the history of the Romans in Britain. In the Irish history of Iar Connaught we have detailed accounts of the Celtic first settlement in Ireland, with an absence of an accurate knowledge of the conquest of that province by the De Burghos. It is wonderful, not how much tradition preserves, but how little it retains. It may be replied, however, that we have ancient Celtic documents containing the history of the ancient kings, worthy to be believed. But the value of a document depends upon the means of information possessed by the writer. An author in the twelfth century does not *prima facie* know more than an author of the nineteenth century of events that occurred before the Christian Era. The fact

that a work has an historical character rests upon the satisfactory proof that the author was either himself a witness of the events he narrates, or possessed contemporaneous evidence, verbal or written. It may be again objected—even if these so-called histories are reduced to the level of ancient tales and poems—must we not assume as true the events detailed in them, and which have been believed by generation after generation to be true, until they are proved to be untrue? Such, indeed, was the theory of history until later years. The history of Greece used to commence with the Trojan war: the sullen vengeance of Achilles, the death of Hector, and the fall of Troy, were taught as events which had actually occurred. Now, without additional evidence upon the subject, the tale of Troy is summarily rejected from history altogether, and why? Although we have no additional evidence upon the matter, the Iliad is repudiated as an historical document, because in the case of other poems equally minute and *vraisemblable*, and fully believed in by generation after generation, we find there exists either none or but the smallest element of actual fact. The Lay of Roland was believed in during the Middle Ages as historical—the invasion of Spain by Charles the Great—the passage of the Pyrenees—the treachery of Ganelon—the death of Roland—were all supposed to be facts. Possessing contemporary historical evidence, we are able to test the truth of this recital. Roland and his followers, Ganelon and his treason, are relegated to the realms of fancy; and, although Charles remains an historical character, his description in the poem is worse than an invention—it is a misrepresentation.

The great German epic of the Niebelungenleid stands precisely in the same position. The murder of Siegfried, the revenge of Chriemhilde, the glorious character of Hagen,

the massacre at the palace of Etzel appear more vivid to us than many historical facts. But we know that no Burgundian princes ever travelled on such an errand ; that the tale of Siegfried and Brunhild was recited in Scandinavia probably before the time of Attila ; and, in fact, that whole poem does not contain an element of history.

But it may be asked, Are such works historically useless ? No, most useful ; but for purposes different from those to which they are ordinarily applied. They are useful, not as evidence of facts which occurred at a date long prior to the writer, but as evidence of the habits, civilization, and ideas which existed at the time of the writer. They exhibit, not the events which they detail, so much as the mode in which such events might be supposed by the author to occur at his own time. It is waste of time to detail the events related in such poems or stories ; but it is most useful to exhibit the ideas which they assume. Early Irish history must be treated in this manner. It is waste of time to cite from manuscripts of the tenth century events supposed to have occurred 1000 years before ; but it is most useful to publish the literal and exact translations—not paraphrases, in which ancient barbarous chiefs are toned down to knights and gentlemen, and the women of half-savage tribes refined into modern ladies. If we are to have them at all, let us have them in their baldness and coarseness, but let us utterly repudiate the spurious and adulterated article served up to us in most Irish histories.

Another source of information on which Irish historians have much relied are genealogies, but to these too little credit cannot be given. Let us test this by genealogies which were treated for centuries as historical. We have the genealogy of the kings of Sparta. At

one end are the historical kings, whose existence is as certain as that of the Plantagenet monarchs, at the other end are Héraclès and Zeus. Again, in the genealogy of the Saxon kings, Edward the Confessor is the last, and Odin the first in the chain. One end of the chain of the genealogy is historical, the other fabulous. Where can we draw the line which divides the mythical from the real personages ? To make any use of a genealogy, we must possess contemporary historical information. The genealogy may indicate ethnic relations, clear up a question of descent, or fix the date of a birth or death of an historical character ; but as an original source of information it is useless.

The early history of Ireland, composed of legends strung upon imaginary genealogies, dissolves into nothing, on the first touch of criticism.

But, besides poems, legends, and genealogies, there remains another source of information of great and, until lately, unappreciated value, viz., the ancient laws and customs of the people. These, though often unpalatable to the ordinary reader, when analyzed and compared, afford the clearest insight into the life and condition of ancient society.

The mere fact that a certain king, at a certain date, slew another king, and reigned in his stead, can scarcely be considered useful knowledge. History deserves to be studied only as far as it exhibits human nature, and affords us the means of ascertaining the law of human progress. “ In the series of human events we attribute, in general, too much importance to such of them as can, in some sort, be seen and felt—the capture of cities, battles, negotiations accomplished on a wide stage, the career of some great man. These are events of which the influence is imme-

diate, brilliant, and capable of being perceived and stated; but there are other influences, of perhaps a superior order, secret, slow in their development, and which properly constitute the philosophy of history. I can mention such a principle, imbedded in a code as yet ill understood, which will end by producing greater changes among men than the ravages of Attila, or the brilliant conquests of Alexander. The four lines which, in the Code Napoleon, abolish primogeniture, will affect more profoundly the fortunes of the French people than all the victories of the Empire.”*

Irish history is fortunate in this particular. We still possess a code of Celtic laws, probably the oldest in Europe — so old that, in an unknown antiquity, the language became obsolete, and two successive commentaries remain, written themselves in two successive antiquated dialects. I, of course, refer to the Brehon Laws, now in course of publication by the Government. These laws, and the ancient poems and tales of Ireland, enable us to realize the society in its pre-historic state.

It is well known that Irish society was formed upon the tribal system. The tribal system is the first shape into which human society is moulded. It arises from the condition and necessities of the earliest immigrants or wanderers. Most nations may be traced back to this primitive form, and it still subsists over a large portion of the world. This is the system which English lawyers imagined to be exceptional—of which an English Act of Parliament declares that the laws which the Irish use are hateful in the sight of God. The English were ignorant that their Saxon ancestors lived after such a fashion; and it was in the last few years that

* Louis Blanc, “Hist de la Rev.,” tom. i. p. 171.

an English Chief Justice in Calcutta failed to realize that the Indian Land Law was different from the principles of Common Law.

So essentially similar are the ideas of all nations in this early state of society, that the difficulties in understanding the Irish tribal system are often cleared up by an examination of the Village Laws of India, or the village communities of Russia. The tribe system is a development of the family. The first wanderer from the original seat of his people strays forth into foreign lands at the head of his family; the father is at once the priest, the judge, and the king. He rules his children, as the ablest and wisest; round the original family gather their slaves and dependants. All the members of the original family and their followers form a single political unit. No individual has an existence, except as a member of this body. Their flocks and herds form a common property. They possess no clear idea of individual ownership. This state of things is vividly brought before us in the Scriptural accounts of Lot and Abraham. When the father dies, the sovereignty remaining in his family passes to the most capable member of that stock—not by the law of primogeniture, for the rulership belongs to the family, not to the individual. Such a system of descent exists at the present moment among the Turkish sultans—a last tradition of this wandering life. Similarly, the various trades and offices are perpetuated in the family of the original artificer. Any newcomers admitted into such an organization are assumed by fiction to be descendants of the original family. The tribe exists upon the assumption of common descent, so much so, that we find in antiquity where, for political purposes, new tribes were created, they generally took their name from an imaginary ancestor, and adopted religious rites as a symbol of their union on this basis.

Suppose a tribe of this nature to abandon its wandering life, and conquer for itself a district in some foreign country ; the principles upon which the land would be occupied flow from the ideas on which the tribe is constituted. The tribe is an undivided whole. The land would be conquered by all for the benefit of all, and would belong to all in common. For the convenience of cultivation, separate lots might be appropriated to individuals, but none would gain an absolute ownership in his allotted portion. His occupancy would be subject to resumption by the tribe, and the arable land might be from time to time redivided, as would suit the convenience of all. The pasture lands would remain open for the cattle of the tribe, subject to such rules as from time to time might be thought necessary ; such is the system of village life in India. Similar communities are found all over the face of the globe, and traces of this system linger in remote districts in every part of Europe. But the increasing desire to acquire private property tends, with advancing wealth, to sap the foundations of the system. In the early Saxon tribes, the folkland was gradually converted into bookland. The component parts of the tribe are gradually changed, from a further cause. Exiles from other tribes, strangers, fugitives, and traders take up their residence within the limits of the tribe ; they form a class outside of the tribe, not worshipping the same gods, confessedly of a different ancestry, who live among, but are not portion of the people. Many of this class form the retinues of powerful chieftains — such were the theigns among the Saxons, originally strangers ; the dwellers outside the palisade of the German cities ; the plebeians of Rome.

When this class increases in number and power, it may force the original tribe to remodel itself upon an entirely

different basis, as the plebeians compelled the patricians at Rome. It may reduce the tribe to a state of insignificance, as the theigns in England ultimately became an aristocracy in respect of Ceorls, the original tribesmen. Most of these phenomena occur in Irish tribal history. The district occupied by an Irish tribe generally amounted to about the area of a modern barony, and belonged, as a rule, to the tribe. This common land seems to have been divided into common pasture land, common tillage land, private demesne land, and demesne land of the tribe; each man of the tribe had a right to pasture as many cattle as he possessed on the common grazing land, and in proportion to the number of cattle thus pastured by each was the share of the common tillage land assigned to him upon the annual partition. The private demesne lands were the distinct property of individuals, who were entitled to acquire and transmit them by certain qualifications, not very clearly explained. The demesne lands of the tribe were set apart for the maintenance of the chief, the chief elect, or tanist, the bard, the doctor, and Brehon. The four offices of chief, bard, doctor, and Brehon, were descendable in distinct families, but not necessarily from father to son; rather the contrary. Upon his demesne lands the chief established his tenants, many of them not members of the tribe; he thus provided for his military followers, whom he also had a right of quartering from time to time on the members of the tribe itself. Such a state of society appears to us violent and oppressive; but it is one which produced profound devotion and attachment, and to which its members clung with extreme tenacity.

At the date of the Mahratta conquest in South India, numerous village communities were dispersed, their lands

abandoned, and their villages covered with jungle and forests. Sixty years afterwards, when tranquillity was restored, the descendants of the original communities, who during all that time had preserved the tradition of their common origin and common worship, returned to the valley of the Nerbudda, and reoccupied the tribe lands. In a few years the communities were re-established, and every trace of their exile disappeared.

If the terms upon which land was thus held seemed strange to the English, still stranger seemed the mode in which justice was administered. The idea of the State, as something distinct from the individuals comprising the nation, is very modern. In European society the State, as a sort of Providence, punishes, or professes to punish violence and wrong as an offence against itself, preserves peace and order, and administers justice between individuals. But such a conception of the State does not occur to men at an early period of their civilization. Violence or injustice is a wrong done by one individual to another, in which strangers have no concern, and the offended party may retaliate, if able to do so; the murderer is not arrested by the authority of the State, but pursued by the avenger of the blood of the slain. The first improvement introduced is not to substitute punishment for private vengeance, but to mitigate revenge, and fix the amount of compensation. Thus, among barbarous nations, we find the custom of atonement for murder by a fixed fine proportionate to the rank of the slain—in Irish law to the rank both of the murderer and the slain. Upon the payment of this compensation, the blood feud terminated, and matters were as if no crime had been committed. The same principle applied to offences of a lesser nature. The conflict of this principle with English law appears in the case of

Nicholas, Bishop of Down, at the close of the thirteenth century. He chose to administer Irish law in the Manor Courts of the Church lands of Down ; and upon the occasion of the murder of an Englishman, found the murderer guilty, but compelled him only to pay a fine or erick. When he was brought before the Council, upon this and other charges, it appeared that his predecessors had administered justice on similar principles ; and it was discussed whether the murderer, if indicted in the King's Court, could plead a previous conviction, or whether the whole transaction amounted to a pardon by the bishop—a grace which he could not confer. But the Irish tribe possessed, in the administration of justice, one remarkable peculiarity—the original right of administering justice did not exist. Neither the chief, nor the assembly of the tribe, nor the Brehon, could summon offenders before them, and adjudicate upon a case. The Brehon was simply an official arbitrator, who could not decide without the submission of the parties. For the purpose of getting over this difficulty, the Irish laws contained the complicated method of distress—a procedure by which one party could compel another to agree that their case should be heard by the Brehon. For his services, by way of remuneration, the Brehon received a fixed proportion of the sum awarded by him ; and the English writers of the reign of Elizabeth frequently refer to the alleged corruption of justice, arising from this cause.

The next question which arises is, in what relation did these separate tribes stand towards one another ? In theory each tribe was perfectly independent and complete ; but there were various causes which tended to combine the tribes into a loose nationality. In nations organized upon the tribal system, there is generally a belief that the separate tribes are offshoots of one original tribe,

and that there is some family representing the stock of the first tribe chief, who possesses a right of sovereignty over the entire nation. It is not necessary that this family should be the head itself of any specific tribe. The right of sovereignty is supposed to reside in the divinely descended stock, however scattered. Such among the Irish Celts were the supposed descendants of Niall. A national sovereign was regularly elected out of his family; and as the chief of a tribe possessed a separate appanage, so the head chief of the nation enjoyed Meath as his demesne land. As the separate chiefs entertained their followers in their houses upon their respective demesnes, so he was supposed to receive at Tara the under chiefs of the various tribes. The tributes to be paid to the national king were ascertained and definite, and the homage and duties of the lesser chiefs are detailed in ancient Celtic poems. Inferior kings, also, of the royal race stood in the same position towards the inhabitants of each province as the national king to the whole body of the Celtic Irish. As a further but less peaceful cause of union, the more powerful tribes reduced into subjection their feebler neighbours, and formed systems of tribes, in which the leading tribe possessed the hegemony. The chief of such a tribe was over-lord of the chiefs of the dependent tribes. Such were the tribal confederacies of which the O'Neills and O'Donels were the leaders. In other instances tribes united upon the basis of a treaty, the over lord of a confederacy being successively elected out of each tribe: such was the King of Cashel, chosen alternately from the descendants of Eoghan Môr and Cormac Cas.

It is evident that such a system formed a very feeble bond of national union, and the existence of peace depended altogether upon the energy of the ruling national chief.

There is one peculiarity in the Irish tribe system which cannot be omitted from observation, viz., the entire want of a public assembly. How the chief or tanist was elected it is difficult to ascertain ; but, although elected in the presence of the people, it is clear he was not elected by the people, but by some special electors qualified by birth or office. We hear of no regular assembly held to discuss matters of importance : by regular assembly must be understood an assembly of the tribesmen, meeting according to stated rules, and with definite power. In the German tribes a mass of freemen met, armed. The chief proposed for acceptance or refusal such laws as he or his council deemed necessary, and the people finally accepted or rejected them. Similar are the meetings described in Homer of the early Hellenes. At the present moment the inhabitants of the Swiss forest Cantons assemble every year in arms, to reject or ratify the propositions laid before them by the committee of management. The weak point in the Irish tribe seems to have been the absence of any regular appeal to or interference by the general tribe ; and to this must be attributed many of the abuses which occurred in the latter periods of the Irish history.

This tribal system has been equally depreciated and eulogized. The English wasted upon it every term of opprobrium. We are told it could not come from hell ; for, if hell had been so governed, Beelzebub would have long since been dethroned. On the other hand, modern Irish enthusiasts speak of this system as a perfect scheme for human happiness, during the existence whereof a Paradise had been created, which was destroyed by the advent of Danish and English invaders. Judging by the condition of nations now living upon a similar system, we can estimate more fairly its probable working. A consi-

derable amount of happiness and well-being was enjoyed by those who lived under it; a sense of independence, and a loyalty to the chief and devotion to the tribe existed amongst its members. As the protection of the tribe extended to all the tribesmen, they enjoyed a considerable amount of personal security; and it is impossible that a chief of such a community could have acted tyrannically for any prolonged period. The tribe law itself contemplated the expulsion of the king who refused justice. On the other hand, the whole system must be considered as but the first step in political organization. The whole country was split into separate communities, practically unrestrained by any central power. Civil wars were necessarily frequent; hostilities were embittered by the small number of the combatants on either side; wars were waged as blood feuds; much suffering must have been constantly caused to the entire community from the plunder and waste arising from disorder. Justice was imperfectly administered, and order scarcely maintained. Such a state of things also prevented any accumulation of capital or centralization of wealth: thus further progress in civilization was rendered difficult.

The first step in every nation's history is to establish such a system; the next, to abandon it, and substitute one more developed.

Each form of government should be but a step in a series, an improvement upon the past, and a preparation for the future.

The tribe is formed from the family, and the nation is formed by the consolidation of the tribes. Nations are thus formed out of tribes by various processes: by conquest, as in the case of France, where the Romans shivered the ancient tribes to pieces, and crushed them into a homogeneous

nation; by a powerful and ambitious tribe absorbing its neighbours, and compelling them by conquest or treaty to enter into its system; so the West Saxons swallowed up the other kingdoms of the Heptarchy, and Rome bound the nation of the Latins by a perpetual treaty.

None of these events occurred in Ireland. Once, and once only, did the Irish tribes seem about to unite as the subjects of a national monarchy. Ireland was never completely conquered, nor was the tribe system allowed to work itself out. The disorder of the Celtic Irish, their feebleness and catastrophe, are the natural results of an arrested development.

LECTURE II.

THE EARLY CHRISTIAN CHURCH OF IRELAND.

THE introduction of Christianity is a most important era in Irish history. It marks the commencement of the historic period. By an historic period I mean one during which current transactions are habitually and contemporaneously recorded in writing. Not merely that legends are committed to writing, or the current transactions are handed down by tradition, but that writing is ordinarily employed to perpetuate the records of ordinary events. It can scarcely be pretended that writing was known prior to the introduction of Christianity. The passages usually cited for this purpose are extracts from poems and tales written down, perhaps composed, after the Christian era, which represent pagan heroes as making use of the art of writing. But such passages do not prove that writing was used by the heroes of old, but that it was in ordinary use in the time of the author or compiler. It is not now pretended that the tale of Bellerophon in the Iliad proves that writing was known or used by that mythical personage, or that it was known or used at the time of the Trojan war. If anything, it merely shows that the author of the Iliad may have had some knowledge of that art. So, in an Irish poem, the incident that an ancient hero carved his name upon a spear, and cast it into the river, that it might be recognized

by his followers, does not carry back the date of the writing farther than the date of the composition of the work.

As to inscriptions of an enduring character, there are none whose date can be carried back to the pre-Christian period, except, perhaps, the Ogham inscriptions, which, as far as our present information on the subject extends, contain nothing more than the name and patronymic of some deceased person.

Dr. Todd is, however, of opinion that there existed in Ireland before the arrival of St. Patrick a pagan literature, of which some fragments are still preserved. He refers to certain passages which are found amongst the fragments of the Brehon laws, as having internal evidence of a pagan origin.* But the pagan character of a passage fails to prove its antiquity, since Dr. Todd himself is of opinion that paganism lingered in Ireland long after the first introduction of Christianity; and early Christianity itself was deeply tinged by pagan influences. But whether or not writing existed before the arrival of St. Patrick, it was introduced and systematically taught by the first Christian missionaries. We find it recorded that St. Patrick, on several occasions, taught the alphabet to such of his converts as were destined for holy orders. This is sometimes expressed by saying he wrote out for them the "*elements*." In the Tripartite Life of St. Patrick we find that, when St. Patrick was in the county of Mayo, he found Ernase and his son Lauran sitting under a tree, "with whom he remained, together with his twelve companions, for a week, and they received from him the doctrine of salvation. In the meanwhile he instructed Lauran, for whom he wrote an alphabet in the rudiments of learning and piety."† In the Book of Armagh, we hear that St. Patrick, with eight

* Life of St. Patrick, p. 515.

† *Ibid.*, p. 207.

or nine companions, having tablets in their hands, written after the manner of Moses, was seen by some pagan inhabitants of the country, who cried out to slay the saints, and said, “they have in their hands swords for the slaying of men, which appear in the day-time wooden, but which we think are iron swords for the shedding of blood.”* The early Christian missionaries must have introduced many manuscripts of the Scriptures and such books as would be necessary for the formulæ of their worship. The great collection of the Brehon laws appears to have been made about this time, and from the works of Cormac M'Cullinan, Bishop of Cashel, it appears that there must have existed in the tenth century a large mass of ancient literature, which then required critical and grammatical explanation. The list of abbots and bishops, extending from an early period, may be received with considerable confidence, as both the art of writing was known, and the names of the Church officials would probably have been recorded in the ordinary course of business.

Under these circumstances, we may treat the establishment of Christianity in Ireland as introducing such historical evidence as enables us to treat facts subsequently recorded in a manner, to a great extent, different from that in which we have treated the mythical period. It is not meant by this that a great portion of written documents, handed down from periods subsequent to the introduction of Christianity, do not contain a vast amount of simply mythical stories. This element exists in all popular literature; but in history subsequent to the arrival of Christianity there is to be found an amount of facts recorded in writing by contemporaries which, although dry and meagre, may be separated from the

* Life of St. Patrick, p. 509.

purely mythical element, and treated as historical. The legends of saints also afford a clear insight into the habits and ideas of the period. How rich a mine of historical inquiry may be found in this despised branch of literature the French historical writers, especially Monsieur Amédee Thierry, have taught us.

The history of the early Irish Church is instructive, not merely as the religious history of the Irish race, but as throwing a remarkable light upon their social and political economy. In dealing with the delicate subject of the Irish Church, we desire to abstain from all doctrinal questions, and the controversy, as to what were its dogmas, and to what Church it should be affiliated. We shall consider it for the purpose of elucidating the social tendencies of the Celtic population, and attempt to show how, from its peculiar form, it seriously influenced the temporal destinies of the country.

It is admitted by all writers on the subject that the Irish Ecclesiastical system was essentially different from that upon the Continent. The anomalies of the Irish Church have been the subject of discussion almost since its first establishment. They were noticed in the Synod of Hereford and Council of Chalons-sur-Marne; they were discussed by St. Bernard and St. Malachy; they formed an excuse for the invasion by Henry II.; they were investigated by Ussher, and are still a subject for controversy rather polemical than historic; but writers who have examined the Irish system from an exclusively Irish point of view have failed to see the several particulars in which it clashed with the ideas of the rest of Europe. In this case and most others, Irish history must be understood not by an exclusive study of Irish authorities, but by a continued comparison with the political and religious systems

which at the same time existed upon the Continent of Europe.

I have in the last Lecture indicated to you the leading principles, political and social, of the Irish tribe system. A brief consideration of the manner in which the Christian Church developed itself on the Continent of Europe will show how utterly unfit the Continental or Roman form of Church government must have been for Ireland. The Christian Church came into being during the existence of the Roman Empire: the state of society at that time was remarkable, as exhibiting extreme development in cities and an extreme deterioration of country life. From the great Imperial city stretched the military roads to the extremities of the empire; along those at intervals stood the municipal towns, which possessed to a great degree self-government, and were independent corporations, flourishing, wealthy, and secure. The eastern half of the empire contained numerous cities, many older than Rome itself, once independent, and still to a considerable extent self-governing; but the intervening tracts of land were in a state of continued deterioration. The country was eaten up by the great states of Roman and provincial nobles, which were cultivated by slaves attached to the ground; and in many districts the only sign of civilization was the villas occasionally occupied by the wealthy proprietors. In such a state of things, the city was everything and the country was nothing.

The early Christian teachers would have found it a waste of time and energy to have traversed as missionaries the country. Like all successful leaders of revolutions, they threw themselves upon the centres of intelligence; when expelled from one city they went to another city, as the next available place for the preaching of their

doctrine. Saint Paul established himself successively at Phillipi, Corinth, and Athens, without regarding the country districts. Thus the labours of the Christian missionaries being directed to the conversion of the town population, the early Christian Churches were confined to the larger cities. Long after the nominal establishment of Christianity, paganism lingered in the country. Saint Martin, of Tours, employed himself in destroying rural temples in the south of France. Saint Benedict found an altar to Apollo upon Mount Casino.

It may be a question how far the doctrines of any new religion are merely an answer to the moral wants of the age; but there can be no doubt of this, that every new religion is organized according to the political form of government prevalent at the time. Its first followers supply it with a system which is an imitation and reflection of the political government of the period. Mahomedanism was ruled by a Caliph; Calvinism was organized in imitation of the oligarchy in Geneva; early Christianity adopted the form of the municipal government. In each city the bishop presided over the Church, assisted by ecclesiastical assessors. At an early period the bishop enjoyed a jurisdiction amongst the Christians themselves, originally voluntary, of the nature of an arbitration. When Christianity became the established religion of the empire, the bishop occupied a legal judicial position. The exercise of judicial functions implies a distinct area in which they should be exercised; this was naturally fixed with reference to the limits of the civil jurisdiction within which the bishopric was established. When, for the purposes of internal government, the bishops were subordinated to one another, the bishop of the city, the residence of the Roman governors, naturally became the arch-

bishop of the province. In the great divisions into which the Roman empire in its latter days was divided, there naturally arose patriarchs who governed the grand provinces of the empire. As Rome was supreme amongst cities, the Patriarch of Rome became supreme in the Church.

This system of Church government is manifestly founded upon the existence of cities and the division of the territory into definite political districts: hence has grown up the doctrine that a bishop must be a bishop of a certain place. At present in the Roman Church, when the rank of a bishop is conferred without any accompanying duties, a local title is given, by attaching the bishopric to some place in *partibus infidelium*. But in a bishop of the Roman, or any Protestant Episcopal Church, we must distinguish his judicial office from his purely spiritual function. Every bishop can exercise his spiritual office effectually in any place, although he may be restrained from doing so by the canons of the Church; on the other hand, he possesses no judicial authority beyond his own diocese. Such a system as had been established on the Continent could not have been introduced into Ireland. It would have been utterly repugnant to the political system of the Celts. In Ireland there were no great towns, no wealthy emporia, no roads crossing the island, rendering communication easy; there were no political districts, for the civil jurisdiction of the chiefs was exercised over the individuals of the tribe, wherever they might be, and had no connexion with the lands which they occupied. If the Christian missionaries had attempted to establish in Ireland bishops with territorial jurisdiction, the system would have failed. No tribal chief would have submitted to the jurisdiction of the bishop connected with or resident in another tribe.

We must now consider how the first Christian mission-

aries met the difficulties which the state of Ireland presented.

The first question which presents itself is, what religious system did they find existing in the Island? Druidism. But as to what Druidism was, either in speculation or practice, we have very little information. Its doctrines cannot have had a strong hold upon the minds of the people, nor can it have possessed any definite mythology. Odin and Balder survived the destruction of Norse Paganism; but of the early Irish deities, their history or their worship, not a trace remains—their very names have perished. As far as we can conjecture, their religion must have consisted of tribal divinities and local rites. As to the Druids themselves we have no distinct information. The practices and rites of the Druids form a subject fascinating from its extreme obscurity. The information of the ordinary public upon this subject is chiefly derived from the opera of "Norma," which suggests a confused idea of gloomy oakwoods, white-robed priests, and prophetic virgins. The so-called learning of the last century upon this subject was more definite, but equally unsatisfactory. The early antiquarians, upon the suggestion of a few passages from the Latin authors, laid a foundation of a fanciful edifice, which their followers completed, the conjectures of each sage being the facts assumed by his pupils. This airy edifice fell to the ground upon the first application of criticism; and, so strong has been the reaction, that authors are now found to deny the existence of Druids altogether.

As far as the lives of St. Patrick and of St. Columba enable us to form any opinion, these missionaries did not find in Ireland or Scotland any hierarchical system; they did not encounter any arch-Druid as the representa-

tive or head of a national religion ; they met abundant opposition from the Druids of particular chiefs and places but they found no priesthood occupying a definite political position, which the ministers of the new religion could appropriate. The Druids of this period, at least, seem to be nothing more than the local priests or magicians attached to the several tribe chiefs—perhaps not better than the medicine men of the North American Indians.

The first Christian missionaries had to discover a system upon which the Church to be established in Ireland could be organized.

In tracing the early form of the early Church, the position, character, and origin of the first missionary, are an important subject for consideration.

Attempts have been made to depreciate the historical position occupied by St. Patrick, but unsuccessfully. We possess documentary evidence as to his life and doctrine, which may be fairly treated as his own composition, or, at least, that of some of his contemporaries. The documents in question are as follows:—The Confession of St. Patrick—a copy of which was transcribed, at the end of the eighth, or very early in the ninth century, into the collection known as the “Book of Armagh.” It professes to be taken from an autograph of St. Patrick, for this seems to be the meaning of the colophon: “Thus far the volume, which St. Patrick wrote with his own hand.” It was certainly transcribed from a manuscript which, in the year 800, was beginning to become obscure, and of whose obscurities the scribe more than once complains. Although not free from what we now, at this age, would call superstition, it contains none of the ridiculous miracles attributed to St. Patrick by later writers. It is “altogether such an account of himself” as a missionary of that age, such as St. Patrick

was himself, might have composed. Its Latinity is rude ; it quotes the ante-Hieronymian Vulgate, and contains nothing inconsistent with the century in which it is supposed to have been written. If it be a forgery, it is not easy to imagine for what purpose, and how it could have been forged.* Secondly, the Epistle to Coroticus, attributed to St. Patrick. The Latinity of the work is apparently of the same age, and from the same pen, as the Confession. It quotes the old Latin version of the Bible, and there seems no internal evidence against the supposition that St. Patrick was its author. Objections have been made to the authenticity of this work on the ground of its rude and barbarous Latinity. It is said that it is difficult to believe that the Roman Pontiffs were so stupid as to send forth missionaries to instruct others, who were themselves incapable of writing good Latin. Who can believe (if St. Patrick were a man of learning and celebrity in the fifth century) that he could have written in so barbarous a style ? But this is an argument against the theory that this work is a forgery. No ecclesiastic of a later period would have concocted such a document. None but St. Patrick could have written such a work at, or shortly after, the period of his mission.† We have several subsequent lives of St. Patrick, in which the element of the miraculous increases as the date of the production becomes more removed from the transactions it professes to recount.

There is no certain information as to the birth-place of St. Patrick—a question which has proved a source of endless controversy. According to his own statement in the Confession and Letter, he was the son of Calpurnius, a Deacon, the son of Potitus, a Priest. He was of respectable family according to the flesh, his father having been a Decurio ;

* Life of St. Patrick, pp. 346, 7.

† *Ibid.*, p. 349.

and he gave up his nobility to prosecute his missionary enterprise. An ancient hymn tells us he was born at Nemthur. The Confession states that his father was of the village of Bonavem Taberniæ, and had there a small property, from whence St. Patrick was taken away captive. The unknown names Bonavem Taberniæ and Nemthur go but a short way towards fixing St. Patrick's birth-place. Later biographers have endeavoured to bring him over from the Continent, chiefly for the purpose of connecting him with the Papal See. Hence has arisen great confusion as to the events of his life; for numerous acts attributed to Pellagius, an earlier Roman missionary, have been transferred to St. Patrick. But in the works attributed to St. Patrick himself there is no allusion to the Continent, or to any special commission from, or connexion with, a Continental Church. According to his own statement, he learned Latin at an advanced period of life—a fact confirmed by his barbarous Latinity. It is utterly impossible that any native of Gaul, the son of a municipal officer under the Roman Government, could have been entirely ignorant of Latin. His original birth-place must be sought in some of the provinces never completely Latinized.

In his Confession, St. Patrick speaks of *Britannia* as his native country, which would imply that he was born in one of the provinces of Britain, and probable conjecture fluctuates between Alcluaid (now Dumbarton) and Wales. He was carried into Ireland as a captive in his youth, and before his conversion to Christianity. In his own narration he says—"I, Patrick, a sinner, the meanest of all the faithful, had for my father Calpurnius, a Deacon, son of the late Potitus, a Presbyter, who was of the town of Bonavem Taberniæ; for he had a farm in the neighbourhood, where I was taken captive. I was then nearly sixteen

years old. I was carried in captivity to Hiberio, with many thousands of men, according to our deserts, because we had gone back from God, and had not kept His Commandments, and were not obedient to our priests, who used to warn us for our salvation.” He was employed in Ireland as a slave, tending the cattle, but was then frequent in prayer, and thus, he says, the love and fear of God in faith “increased upon him.” After six years’ servitude, he escaped, and returned to his parents or relations, who received him as a son, and besought him “that after enduring so many tribulations, he should not depart anywhere.” He was, however, constrained by a vision, which he saw in the night, to return to Ireland to preach the Gospel. “In the dead of the night I saw a man coming to me, as if from Hiberio, whose name was Victoricus, bearing innumerable epistles; and he gave me one of them, and I read the beginning of it, which contained the words ‘the voice of the Irish;’ and while I was repeating the beginning of the epistle, I imagined that I heard in my mind the voice of those who were near the wood Foclut, which is near the western sea, and thus they cried: ‘We pray thee, O holy youth, to come and henceforth walk amongst us;’ and I was greatly pricked in heart, and could read no more, and so I awoke.”

I have referred to the origin and early life of St. Patrick, and the impulse which constrained him to preach the Gospel in Ireland, as showing that neither in his origin, education, nor feelings, was he a Roman; that his religious tendencies were rather towards the moral and mystical, than the dogmatic points of Christianity. This view is confirmed by his Creed, or Confession of Faith. The arrival of St. Patrick may be fixed about the middle of the fifth century. The first Council of Nice was held in

A. D. 325; the Council of Sardica in A. D. 347; the Council of Ephesus A. D. 431; yet St. Patrick appeared ignorant of the Creed, as settled even by the first Council. He makes no mention of the resurrection of the body, nor our Lord's descent into hell; he does not mention our Lord's burial. He attributes the creation of all things to the Son. He teaches his disciples that the Second Person of the Trinity pours into us the Holy Ghost. This creed could scarcely pass for orthodox among any sect of Christians, but it is exactly the doctrine which might have been taught by a missionary issuing from a remote province of the Roman Empire, to which the decrees of the Council had not yet penetrated, and who had never been instructed in the theological subtleties of this time.*

We must remember that the Western Church wisely never involved itself in theological speculation. The doctrinal questions which disturbed the Church in the early ages originated in the eastern world; and in the remote provinces of Britain the perplexing inquiries about the Trinity may have been disregarded, and were certainly not appreciated. But the hymn known as the breastplate of St. Patrick proves how deep was the faith of the Christians of that period in the Omnipotence of God, in the mercy of Christ, and the primary principles of Christianity.

We are not to imagine that St. Patrick landed in Ireland in the simple garb of a modern missionary. He, from the first, assumed the attire and position of a Christian bishop. This appears from the ancient verses preserved by the Scholiast on Fiacc's hymn, as translated by Dr. Todd:—

“He comes, he comes, with shaven crown, from off the storm-tossed sea,
His garment piercing at the neck, with crook-like staff comes he;
Far in his house, at its east end, his cups and patens lie;
His people answer to his voice: ‘Amen, Amen,’ they cry.”

* Life of St. Patrick, p. 390.

The position taken by St. Patrick in Ireland is clearly shown in his conflict with Laoghaire, King of Meath. Having left his ship at the mouth of the Boyne, St. Patrick travelled to Slane, in the county of Meath. There he pitched his tent, and began the solemn devotions of Easter Eve. The legend tells us:—"Now there happened in that year the idolatrous Festival, which the Gentiles were wont to observe with many incantations and magical inventions, and other superstitions of idolatry; gathering together the kings, satraps, dukes, chieftains, and nobles of the people; summoning also the magicians, enchanters, and augurs, with the inventors or teachers of every art and gift, unto Laoghaire, as unto King Nabucodonossor of old, to Temoria, which was their Babylon, and on the same night on which St. Patrick was celebrating Easter, they were worshipping and exercising themselves in that Gentile festivity." The legend informs us that the pagan festival began by extinguishing every fire in the country, and whoever kindled a fire on that night, before the king's fire was kindled on the Hill of Tara, should perish. St. Patrick lighted his Paschal fire on the hill of Slane; and this being seen from Tara, the king demanded who was guilty of this insolence. The Druids replied that the fire they saw would never be extinguished unless it could be put out that night. The king thereupon yoked his chariots, and proceeded to Slane with his two chief Druids. On their arrival at Slane, the Druids would not permit the King to enter the enclosure, where St. Patrick's fires were burning. They counselled that St. Patrick should be sent for. He entered the assembly, entoning the verses:—Some put their trust "in chariots, and some in horses; but we will remember the name of the Lord our God." Hereupon follows a strange contest between St. Patrick and the Druids, which, of

course, eventuated in the defeat of the latter. After this, the king, humbled and terrified, returned to Tara, with a few attendants who survived. In this, as in other instances, we are struck by the fact that St. Patrick did not commence by preaching to the body of the people, but addressed himself, in the first instance, to the local chiefs, according to Dr. Todd.

“This policy may have been pursued by St. Patrick as much from necessity as from a knowledge of the character and habits of the people. The chieftain, once ‘secured,’ the clan, as a matter of course, were disposed to follow in his steps. To attempt the conversion of a clan in opposition to their chief would probably have been to rush on inevitable death, or, at the least, to risk immediate expulsion from the district. The people may not have adopted the outward habits of Christianity (which was all, perhaps, that they at the first instance adopted) from any clear or intellectual appreciation of its superiority to their former religion; but to obtain from the people even an outward profession of Christianity was an important step towards ultimate success. It enabled Patrick to plant in every tribe schools, churches, and monasteries. He was permitted, without opposition, to establish among the half-pagan inhabitants of the country societies of holy men, whose usefulness, devotion, and piety, soon produced an effect upon the most barbarous and savage hearts. This was the secret of the rapid success attributed to St. Patrick’s preaching in Ireland. The chieftains were at first the real converts. The baptism of the chieftain was immediately followed by the adhesion of his clan. The clansmen pressed eagerly round the missionary who had baptized their chief, anxious to receive that mysterious initiation into the new faith, to which their chieftain and father had submitted.

The requirements previous to baptism do not seem to have been very rigorous ; and it is not improbable that in Tyrawley and other remote districts Patrick, as he tells us himself, may have baptized some thousands of men.”*

What was the form of society which St. Patrick thus established in Ireland ? Amidst lawless and savage paganism, it would have been dangerous to disperse individual missionaries. It was necessary that the Christians should form communities capable of defence, and thus a monastic character was impressed upon early Irish Christianity. But the tribal system prevented the early missionaries securing lands for the formation of monastic establishments. There was not wealth in the country to endow or support monastic institutions, such as were subsequently established on the Continent. This difficulty was obviated by the creation of artificial tribes, of which the first missionary became the chief. Land granted to St. Patrick, or to any other ecclesiastic, by its original owners, conveyed to the Clerical Society, of which it was the endowment, all the rights of the chief of the clan. The curious history of the foundation of the bishopric of Trim illustrates this. Fedleaid, when converted, dedicated to Lonmen, and Patrick, and Fortchenn, his son, all his territory and possessions in Trim, “*with his possession, and with all his substance, and with all his clan.*”

The tribe thus created consisted both of the monks and of the original tribesmen. The priest or saint to whom it was originally dedicated, filled three distinct characters : First, Temporal Chief of the Clan ; second, Abbot of the Monks ; third, that of Bishop of a Community. Upon the death of the original saint, who was the founder of this society, his powers passed to his co-arb or heir. The three offices exer-

* Life of St. Patrick, p. 498.

cised by the original founder might be united in one person, or divided among three ; but his successor in the office of abbot was specially deemed to be his co-arb or heir, and was the ruler or head of the ecclesiastical portion of the tribe. Thus we have two lines of descent from the original founders of this clan—one representing his lay and the other his clerical successors.

It was not necessary that the abbot should be a bishop ; and yet it was necessary that a bishop should form part of the community, for the purpose of the performance of those rites requiring episcopal intervention.

Under these circumstances jurisdiction over the religious community was appropriated to the abbot, and the bishop was considered merely as a superior priest who exercised a peculiar function. As the bishop had no judicial authority, his exercise of his office was not confined to any particular district. Nor was it necessary that the number of bishops should be limited. A bishop was employed in a religious house to exercise the functions of his degree in subordination to the head of the monastery. We meet continued instances of this in the lives of the Irish saints. When St. Brigid erected her monastery on the plain of Liffey, she reflected that she ought to provide with prudent care regularly in all things for the souls of the people, as well as for the churches of the many provinces which adhered to her ; she came to the conclusion that she could not do without a high priest to consecrate churches and settle ecclesiastical decrees in them. She therefore selected a holy man, a solitary adorned with all virtues, and by whom God had wrought many miracles. She sent for him from the desert, and went herself to meet him. He agreed to her proposals, and she engaged him to govern the Church with her in Episcopal dignity, that nothing of a sacerdotal

order should be wanting. But Condlaed, the bishop thus selected by St. Brigid, was subject to the orders of the abbots.

“ This Condlaed was Brigid’s principal artist, and he was devoured by dogs, because he set out for Rome in opposition to Brigid’s command, wherefore Brigid’s prayer that he might come to a sudden death by the way, which was fulfilled.”*

As the Episcopal office was not exercised in any specific district, the number of bishops was immaterial, and so numerous were bishops, or rather priests having Episcopal orders, that we find small communities exclusively of bishops. The Martyrology of Donegal mentions six groups of seven bishops, and a litany of the ninth century refers to 141 groups of seven bishops each, at various places and churches in Ireland. St. Patrick is stated to have consecrated 350 bishops. The Four Masters speak of 700 bishops.

We may easily believe, under these circumstances, that the bishops were not surrounded by the pomp which they enjoyed in other countries, as appears from the legend of St. Columba. “ Bishop Etchen is venerated in Cluain-fota-Boetain in Ferra Bile in the south of Meath, and it was to him that St. Columba went to have the order of bishop conferred on him. Columba sat under the tree which is at the west side of the church, and asked where the cleric was. ‘ There he is,’ said a certain man, ‘ in the field where they are ploughing below.’ ‘ I think,’ says St. Columba, ‘ it is not meet for us that a ploughman should confer orders upon us, but let us test him.’ ” The bishop, by miracle, vindicated his sacred character, and Columba received ordination at his hands.

* Life of St. Patrick, p. 11.

The peculiarities of the Irish ecclesiastical system may be summed up—1st, the bishopric was simply an ecclesiastical degree or spiritual function without any judicial or administrative power ; 2ndly, the country was not divided into districts with local ecclesiastical authority, but the Church consisted of isolated monasteries which were practically independent of each other ; 3rdly, the clergy exercised no judicial power over the laity.

The Irish monasteries were constituted in the following manner :—The artificial tribe created by the founder of the institution was governed by the co-arb or heir of the original saint, who enjoyed all the rights and principalities which belonged to the original chieftain, as well as the abbatial authority of the saint, but the temporal and spiritual portions of the office were generally divided. The spiritual co-arb was elected by the community of monks over whom he presided. The chieftain (or secular co-arb) was elected under certain restrictions by the clan. In this system there was an obvious tendency not only to restrict the chieftainship to the family of the original founder, but to throw the spiritual succession in the same line.

The family of the monastery comprised as well the monks as the clansmen, vassals, and serfs living on the territory of the co-arb. In many cases they were very numerous, as appears from the battle between the families of the monks of Clonmacnoise and Durrow in the year 764. The collection of the produce of the farm and rents and tributes of the tenants was made by an officer called Erenach. The internal domestic affairs of the monastery were overlooked by the *Œconomus* or houseman, who superintended the labours of the monks, and saw the establishment supplied with food and other necessaries.

The Church, thus organized, afforded safety and security to its members, and naturally became a refuge for fugitive ecclesiastics from Britain and Gaul; hence sprung up the schools of learning, for which Ireland was celebrated at the beginning of the Middle Ages. We must neither over estimate nor deprecate these establishments. The learning they possessed must be judged by the cotemporary state of Europe, not by reference to the education of the present day. They undoubtedly were in advance of any schools existing on the Continent, and the list of the books possessed by some of the teachers prove that their institutions embraced a considerable course of classical learning. The civilization of Ireland at this period, as far as it arose from monastic institutions, was strictly confined within the limits of the monasteries, and did not affect the general condition of the people.

The introduction of Christianity was not attended with the establishment of law and order; the form of the Church rather repelled than favoured the growth of a national sentiment; commerce and wealth could not flourish in default of a strong government, and where wealth and commerce are impossible, civilization is of tardy and feeble growth. The monasteries were themselves but communities of ascetic and hard-working men who, though faring coarsely and living rudely to some extent, cultivated learning as part of their religious profession, but had not the means, nor probably the desire, of practising the refinements of civilization, or of devoting themselves to learned leisure.

There soon arose in the Irish Church a zealous missionary spirit. St. Columba, banished from Ireland, established the monastery of Iona, and by himself or his missionaries preached Christianity throughout Scotland. In leather boats, which would not now be thought seaworthy,

these zealous preachers of the Gospel went northward as far as Iceland, for the Norse, when they first colonized that island, found traces of the residences of Irish monks, and the legend of Saint Brendan would lead us to suspect these enthusiastic missionaries sailed westward into the Atlantic in quest of distant lands to conquer for the Gospel.

Irish missionaries crossed over to England, and found their way to Gaul, Switzerland, and Germany, where the peculiar discipline of their Church rapidly brought them in conflict with the ecclesiastical system on the Continent, for the Irish bishops, disregarding the Canon law, exercised their episcopal functions without reference to the territorial jurisdiction of the local bishops; and the *episcopi vagantes* are alluded to and condemned in various canons. By the Synod of Hereford, A.D. 675, it was enacted that bishops who were monks should not go about from place to place, or from monastery to monastery, unless sent by the abbot, but should continue in the same obedience they promised at their conversion. The Council of Chalons-sur-Saon, in 813, declares the orders conferred by these Scottish bishops to be null and void, expressing a doubt as to the validity of their episcopacy, and accusing them of admitting unfit persons to orders. The title of this canon is, “On the nullity of the Ordinations conferred by the Scotti who call themselves Bishops.” At the Synod of Cealcythe, in the year 816, by the 5th canon, it was ordained that no person of the Scottic race be permitted in any diocese to exercise the sacred ministry, and it is declared unlawful to receive any assistance from these Scottic ecclesiastics either in Baptism, or the celebration of the Mass, or administering the Eucharist to the people—1st, because it is uncertain whether or by whom the Scottic bishops were ordained; 2ndly, because they scrupled not to enter other dioceses without the consent of the diocesan.

A third reason is added, which points to the peculiar constitution of the Irish Church. “We know it to be enjoined in the canons that no bishop or presbyter venture to intrude upon the parish of another without the consent of his own bishop. So much the more should we refuse to receive the sacred ministrations from foreign nations, amongst whom no rank is given to the metropolitans, nor honour to the other bishops.” It is probable also that many impostors, pretending to be Irish bishops, travelled on the Continent, and assumed to perform episcopal functions. At a later period Irish pseudo-bishops are especially mentioned. We can thus form an idea of the mode in which the Irish Church was regarded by Continental ecclesiastics. There is no allusion to any difference of doctrine. The Irish are never spoken of as heretics, and the validity of their orders was practically acknowledged; but the organization of the Church was regarded as anomalous, and their system of Church government was esteemed to be barbarous. Speaking of St. Malachy, St. Bernard writes:—“Our friend Malachy was born of a barbarous people in Ireland. There he was educated; there he was taught literature; but from his native barbarism he has drawn nothing, no more than the fish of the sea retains the taint of the salt of the ocean.”*

During the early period the Irish ecclesiastics appear as an aggressive body in England and the Continent—ecclesiastical interlopers, who put into confusion, and set at defiance, the ecclesiastical arrangements of the countries which they visited. Proud of their native Church, they claimed to be duly ordained bishops, and asserted a right, whenever and wherever they pleased, of exercising their spiritual office; but subsequently the position of the Irish Church was changed by the effects of the Danish invasions.

* Op. St. Bernard, vol. i., col. 659.

Their monasteries were devastated, their schools of learning broken up, and as fugitives they sought the Continent, which they had before visited as missionaries. Under these circumstances, the influence of the Continental Church reacted upon Ireland.

In the eleventh century the intercourse between this country and the Continent became very active. What did an Irish monk, sojourning upon the Continent, then behold? He saw emphatically, in one word, Rome. The ancient Roman empire had perished; but the idea of a grand Imperial Rome still possessed the imagination of mankind. Not merely was there spiritual Rome, but also the German empire inherited in popular belief the position and the glories of the Roman. The idea of spiritual and temporal unity possessed the imagination of mankind. Rome was the seat of a great bishop, who claimed to rule the Christian Church, and vindicated religion and justice in opposition to the caprices of local tyrants. The Church, represented by the Pope, ruled in all things spiritual, extending its jurisdiction over an unbroken hierarchy from the centre of its government to the remotest portions of the Christian world. At the same time, in theory at least, there was an Emperor unquestioned in his power as the vice-regent of God, dealing out justice impartially to all men. What must have been the feelings of an Irish ecclesiastic who viewed this mighty system? He must have contrasted it with his native island, broken up into petty tribes, incessantly warring with each other, presided over by a powerless king, who had neither the means nor the inclination to control his so-called subjects. He must have thought of the monasteries not yet resuscitated, the schools of learning deserted and almost forgotten, and longed to have assimilated his Church and country to the great system of the Continent.

How then, also, must the Roman ecclesiastics have regarded the Church of Ireland? They could not have entertained the idea of a separate and National Church, organized according to the social wants of a small and barbarous people; nor could they have tolerated the idea of schism or separation. Their theory was the establishment of one consistent system—a great imperial government in things temporal—a great ecclesiastical government in things spiritual.

Under these circumstances, it is not wonderful that Continental influence reacted upon the Irish Church. Irish priests, who had sojourned at Rome, esteemed as barbarous those parts of their own Church's government which were national and Celtic, and set about reforming and altering it, so as to assimilate it to the Continental pattern.

Such were the views of Celsus and St. Malachy, the latter of whom acted under the influence, and by the advice, of the great St. Bernard. In 1016, a Synod was held, not for the purpose of discussing doctrinal points, as to which there was then no question, but with the object of assimilating the government of the Irish Church to that of Rome, and bringing it into immediate connexion with the Papal See. In 1152, a Council was held at Kells, at which John Paparo appeared as legate of Pope Eugenius the Third. He brought over four palls to Ireland, one of which he conferred on Armagh; another he gave to Dublin; the third to Cashel, and the fourth to Tuam. At this Council Ireland was divided into dioceses, and the pre-eminence of the several archbishops definitively recognized. As we shall see afterwards, from the Council of Cashel, about or subsequent to this time, parishes were created, and priests established throughout the country, who were not supported by, or connected with, monastic establishments.

There had in the course of the eleventh century grown up another Church in Ireland among the Danish colonists, who had been converted to Christianity by missionaries from England, and their bishops derived succession from the Archbishop of Canterbury, and not from the Irish Church. The existence of this Danish Church is not of much importance in subsequent history, but explains many statements made by ill-informed English writers as to the position of the Irish Church.

Such was the state of the Church in Ireland prior to the date of the English Invasion. We have seen that this Church was originally modelled after the fashion of the political and social form of Celtic society, and was gradually adopting the system of Church government prevailing on the Continent. It was looked upon as a Church in some degree isolated from the rest of the world—of peculiar organization, and irregular character, severed, as it were, from the great body of Christendom. It was the object of the most learned men of the Irish Church itself, and of the ecclesiastics of the Continent, to reclaim it from barbarism—to assimilate it to the Continental Church, and to make it an integral portion of the spiritual empire of Rome.

When we come to the English Conquest we shall see how far this object was put forward as an excuse for an unprovoked invasion; and, at a subsequent period, we shall observe how far the attempt to carry out this object, or perhaps the failure to do so, effectually aggravated the disorders which affected Ireland.

LECTURE III.

THE DANISH INVASIONS AND KING BRIAN.

THE period intended to be embraced in this Lecture is that extending from the first appearance of the Danes at the end of the eighth century down to the battle of Clontarf (known in the Norse annals as Brian's battle), which was fought on Good Friday, 1014. This epoch is marked by three series of events—first, the intermittent invasions of the Danes, which entailed upon the Irish great and protracted suffering, and destroyed the incipient civilization fostered by the monastic establishments; secondly, the attempted colonization of Ireland by the Danes, who established themselves upon the sea-board in fortified towns, as partly military, partly trading communities; and lastly, the great uprising of the Celtic population against the Scandinavians, under the command of King Brian, which almost ended in the establishment of a powerful national monarchy.

The name “Danes” is associated in the minds of the Irish with the memory of barbarous pirates, who sought merely for plunder, and wantonly extinguished Christian civilization and learning. When we call these invaders by their true name, “*Norsemen*,” we at once attain a clear idea of their character and object. Ireland was not exposed to a storm which did not waste the rest of Western Europe, and those who afflicted this land were not an unknown or

obscure people, but a branch of the great nationality who at first ravaged and subsequently reinvigorated the Continent.

The Danish invasion was the first of the numerous attempts, so often repeated, to conquer the Celtic population, and to establish among them a foreign dominion. The Danes failed, as so many others have since done, from the interminable resistance, though ill-conducted and intermittent, always offered by the Irish Celts to an invader; and also because their manner, character, and ideas of government, were antagonistic to the feelings of a Celtic tribal people. To understand this, we must realize who and what were these Danes, to whose ferocity and barbarism so many evils have been attributed.

From the limits of Schleswig northward to the polar seas had settled, in remote ages, the great Scandinavian race, so long quiescent, but which at the end of the eighth century broke upon Europe with resistless energy. Their peculiar characteristics were created, or rather exaggerated, by the nature of the country which they inhabited.

The great Scandinavian peninsula is divided by a range of mountains traversing it from north to south; on the east of these lies Sweden, a land of lakes and forests, but affording large tracts susceptible of cultivation; to the west, Norway, the land of the Norse, *par excellence*. Here the mountain ridges approach the western shores; below the highest ranges stretch the uplands, uninhabitable during winter, but affording in summer a pasturage for cattle; seaward from these stretch innumerable rocky promontories, which break the coast into a succession of separate glens. Along the margin, and at the head of the long narrow bays there are found secluded spots fitted for human habitation, where the native population settled in isolated communi-

ties. Between these settlements there was little communication, save by sea; the surrounding mountains long restrained the Norse from forming a definite nation; the limits within which each colony was straitened prevented even the establishment of tribes; as the people described by Homer, they had not council-bearing assemblies, nor sacred ordinances, but they each ruled their own children and separate household, and heeded not for one another.* As in the case of the ancient Hellenes, the nature of the sea coast forced them to become sailors from their infancy. Thus they acquired their most distinctive characteristic—boundless self-confidence, self-reliance, and (to use a French term) individualism. The Norse bonder ruled supreme in his own household; standing by himself, he formed no portion of a tribe in which his personality was merged; his energies were not cramped by any political system; subject neither to tribal chief nor feudal lord, he tilled his rocky farm, and if his ordinary resources failed, of his own impulse and free will he betook himself to the ocean to mend his ruined fortune.

The most conspicuous instance of this trait of their character is the colonization of Iceland by the Norse. When Harold Fairhair succeeded in establishing himself as a king in Norway, the noblest of the Norse, repudiating the idea of royalty, started forth to colonize a distant inhospitable island; but they did so rather by common impulse than prearranged plan. Each head of a family embarked by himself with his household, and landed by himself where he first made land.

Iceland for a short time presented the extraordinary

* *τοῖσιν δ' οὐτ' ἀγοραὶ βουλητόροι, οὐτε θέμιστες·*
 ——————*θεμιστεύει δὲ ἔκαστος*
πάιδων ηδ' ἀλόχων· οὐδὲ ἀλλήλων ἀλέγοντι.

spectacle of a number of families living in absolute independence, and without any political union. Then was exhibited the second characteristic of the Norse race—a voluntary acquiescence in self-imposed law. The island was divided into districts, the celebrated assembly of the Thingvalla instituted, and law and order established among a kingless people, who governed themselves of their own sovereign will.

In their ordinary life the Norse were justice-loving, free, gentle, and hospitable, hard working, ever striving (from an unfruitful soil, and under a wintry sky) to gain the means of bare subsistence. It was, when painfully weeding his fields, that an Icelandic hero received the affront so fatal to him and others. Free and thrall, they worked together in planting and reaping their scanty crops, in gathering in the hay harvest, and pasturing their flocks on the upland. But whether as a reaction against the monotony of their lives, or stimulated by the fierce powers of nature which were exhibited around them, there glowed in the breast of the Norse a partly suppressed but wild and melancholy enthusiasm—their mythology was stern and fantastic; their ideas were full of war and destruction. The feelings of every Norse could at intervals, upon occasion, break into stern but sorrowful lyric. Thus, though in ordinary life simple and self-conscious, by love and wine they were stimulated to such expression of their feelings, and when drunken with the madness of battle, they then passed into the ecstacies of the terrible berserker rage. Inhabiting a northern and barren country, they ever lived at the verge of subsistence: a bad harvest, a political commotion, innumerable other causes might suddenly reduce them to want; but they were not men to patiently endure, to submit to their destiny, and perish; their boldest and best would then take to the sea as to their native element, and in vo-

luntary bands sail southward, in search of subsistence rather than of plunder: they were not mere pirates, who defied law, and preferred crime and plunder to steady industry, but rather hungry wolves, in winter time issuing from their woods and slaying others, that they themselves might live. They were not mere plunderers by choice: with equal energy they embarked in trade, and were willing to take service under any chief who would hire them. But in all their wanderings their hearts turned to the lonely home in some northern fiord; they went thence forth to bring back to their family wealth and plenty, and the fierce marauders who had harassed the coast of France or England came back stained with blood, to the embraces of their wives and children.

The deep feelings of these pirate Norsemen, as also their unbounded energy, are shown in the passage in the *Burnt Njal*, where the brothers Gunnar and Kolskegg (marked for vengeance for the shedding of blood, although in self-defence), having bade adieu to their home, rode down to the ship which was to bear them away to safety. “They rode down the *Markflect*, and just then Gunnar’s horse tripped and threw him off. He turned with his face towards the *Lethe*, and the homestead at *Lethend*, and said—‘Fair is the *Lethe*, so fair that it has never seemed to me so fair; the corn-fields are white to harvest, and the home mead is mown; and now I will ride back home, and will not fare abroad at all.’ ‘Do not thus give joy to thy foes,’ says Kolskegg, ‘by breaking thy atonement, for no man could think thou wouldest do this, and thou may’st be sure that all will happen as *Njal* has said.’ ‘I will not go away any whither,’ said Gunnar; ‘and so I would thou shouldst do too.’ But he would not, and so they parted there and then. Gunnar rides home to *Lethend*, but Kolskegg rides to the ship and goes aboard.” The

gentler brother went back and met his doom ; the sterner “was baptized in Denmark, but still he could not rest there, but fared east to Russia and was there one winter. Then he fared thence out to Micklegarth (Constantinople), and there took service with the Emperor.”*

Those who fared forth were not mere adventurers : they were the noblest and the freest of their nation. The establishment of royal power in Norway drove them out, and the kings of Norway, who pursued them into new homes, scattered them further southward. “As we now regard the establishment of royal power in Norway, we see that what to them was unbearable tyranny was really a step in the great march of civilization, and that the centralization of the royal authority was, in time, to be a blessing to the kingdoms of the north. But to the freeman it was a curse. He fought against it as long as he could : worsted over and over again, he renewed the struggle, and at last, when his isolated efforts were fruitless, he sullenly withdrew from the field, and left the land of his fathers, where (as he thought) no free-born man could now care to live. Now it is we hear of him in all lands. Now France, now Italy, now Spain, feel the fury of his wrath, and the weight of his arm. But of all countries, what were called the western lands were his favourite haunt—England, where the Saxons were losing their old dash and daring, and settling down into a sluggish, sensual race ; Ireland, the flower of Celtic lands, in which a system of great age and undoubted civilization was then fast falling to pieces, afforded a tempting battle-field in the everlasting wars between chief and chief ; Scotland, where the power of the Picts was waning, while that of the Scots had not taken firm hold on the country, and most of all, the islands in the Scottish main—Orkney, Shetland, and the outlying

* *The Burnt Njal*, vol. i., pp. 237–256.

Faroe Isles,—all these were his chosen abode. In these islands he took deep root, established himself on the old system, shared in the quarrels of the chiefs and princes of the mainland—now helped Pict, and now Scot; roved the seas and made all ships prizes; and kept alive his old grudge against Harold Fairhair and the new system by a long series of piratical incursions on the Norwegian coast.”*

But besides those who fled from oppression, or sought subsistence, the North furnished an unbounded supply of mere sea rovers. Among all nations who reside upon the sea-board, piracy has once been an honourable calling. In ancient days pirate galleys of the Hellènes cruised in the Mediterranean. Far down into the sixteenth century, the Christian nations of Europe acted much in the same manner. The old law, or no law, lingered in the American waters, and Drake and Frobisher robbed and burnt, with the support of the government and the approbation of their cotemporaries. But no nation ever took to the sea with such unanimity and heartiness as the Northmen. The two causes which have been mentioned—political disturbance, and the pressure of population on the means of subsistence—may have originated, but do not account for, this almost national impulse. Many a freeman, who might have followed as a retainer some leader by land, or ruled a petty king on shore, sought and found a home and kingdom upon the sea.

The profession of a sea rover was called in Norse “Viking”—a patronymic formed from “Vik” (a bay); the sea rover himself was called “Vikinge.” There were vikings of every character—some, fierce robbers, who spared neither sex nor age, of whom, as of the buccaneers, were strange stories told, in both cases, proba-

* Dasent’s Introduction to the *Burnt Njal*, p. ix.

bly, equally wonderful and apocryphal. Some vikings possessed the gentleness and honour which are attributed too exclusively to the age of chivalry. Thorwald—a just man, and though a heathen, in charity resembling a Christian saint—was a viking; so was the gentle Gunnar of the Burnt Njal.*

As the ideas of law and Christianity gradually spread, public opinion turned against the professional viking. The word viking was used to express any robber, and the profession of a viking died out when it was admitted to be an anomaly, and felt to be a nuisance.

Owing to the misconception prevailing even among educated persons in Ireland as to the origin and objects of the Danes, I have been the more anxious to enable you to realize their national character. They were a people which, if transplanted to the shores of the Mediterranean, might have rivalled the ancient Hellènes; but their glorious gifts did not mitigate the sufferings which they inflicted, and their genius and energy gave them (in the case of Ireland at least) greater capacities for mischief.

We must distrust the statements in Irish Chronicles as to the number of the invaders. The difficulties involved in transporting large bodies of men were far greater than now, and the fleets which assailed Ireland were not equipped by the resources of a wealthy state. They consisted merely of volunteers, joint-stock partners in a piratical expedition, or of petty chiefs, with their immediate followers. Twice was the whole power of the North marshalled to assail Great Britain, on both occasions to meet with disaster; but neither Harold Harfagr, nor Eric, brought to the battles of Stamford Bridge or Largs any large number of fighting men. The force of the Norse

* Dasent's *Burnt Njal*, vol. ii., p. 251.

vikings lay rather in the picked character and equipment of their followers, their reckless bravery, the suddenness of their onset, and the rapidity with which they moved from point to point in their vessels. Landing unexpectedly, they made directly for some well-known monastery, whose wealth they carried back to their ships. Little plunder could be obtained from the Celtic inhabitants, and the efforts of the invaders were, therefore, directed against the ecclesiastical establishments.

The monastery of Armagh was rebuilt ten times, and as often destroyed. It was sacked three times in a month. The result of these constant invasions was the extinction of the feeble sparks of civilization which had been kindled among the monks—the schools of learning were dispersed, and the Celtic nation more disorganized than before.

The Danes appear in the Irish seas, for the first time, in the year 795 (*circa*), when they plundered the island of Rechru. The plundering of the religious houses and the devastation of the country was carried on by the Danes irregularly, but, on the whole, with great perseverance, down to the middle of the ninth century, and afterwards, as political or natural causes drove the Norse from their homes, down to the period of Brian.

A determined effort permanently to conquer Ireland was, about A. D. 832, made by a viking, named in the Irish Annals Turgesius. Encouraged by the dissensions among the native chieftains, he seems to have aimed at establishing a sovereignty over his own countrymen in Ireland, the foundation of a permanent colony, and the conquest or extermination of the Celtic population. He would appear, also, to have attempted to establish the Paganism of the Norse in place of Christianity in Ireland. After a prolonged contest with the natives, he perished in the year A. D. 845.

When we consider the energy of the Norse, their superior equipment, and experience in war, and the dissensions which continually raged among the native chiefs, it may seem strange that the Celtic population did not succumb, and Ireland suffer the fate of the Western Isles. But a nation organized upon the tribal system, and inhabiting a country of sufficient extent, is equally incapable of resistance and conquest. The invaders arriving upon any point of the coast meet with a feeble and ill-conducted resistance from the local chieftain ; but the defeated tribe, though perhaps crippled and pillaged, retires as unbroken in organization as a regular army into its natural fastnesses. As the invaders advance, a similar resistance encounters them in each successive district. Their forces waste in continually renewed and indecisive battles. There is no capital, where the government of the natives is concentrated, which may be captured, and the natural resistance thereby paralyzed. The natives of the country do not gather of one accord into a body, and stake their freedom on the issue of a single decisive engagement. As the invaders traverse the country, they are exhausted by fruitless combats, and dispirited by a prolonged resistance, which could not have been reasonably expected, while their communications are ever cut off by enemies, who, although defeated, yet close upon their rear like water. The strength for resistance in a nation so organized arises from its political disorganization. Like an animal of the lower order, it may be stabbed through, again and again, without a mortal wound being inflicted.

Such is the history of the Danish predatory invasions—a prolonged and hopeless struggle—the only result of which was the extinction of nascent civilization, and the degradation and debasement of the suffering people.

Many of the Danes, who had probably sought Ireland as invaders, settled permanently in the country. They did not, however, amalgamate with the Celtic inhabitants, but founded numerous trading communities upon the coast. Dublin, Wexford, Waterford, &c., were originally, and always continued to be, Danish cities. The local names, such as Howth, Skerries, Leixlip, &c., show how firmly the Norse colonists established themselves. The cities built by the Danes altogether differed from the temporary constructions of the Celtic tribes; they were at once garrisons and emporia, well fortified, and capable of defence. An imperfect mutual league seems to have existed among the chiefs of the towns and the Norse inhabitants of Man and the southern islands; the looseness of this alliance, and the power which it possessed, when once got into action, will be sufficiently shown in the history of Brian.

The establishments of the Norse might have had a favourable effect upon the condition of the island; in them commerce might have been fostered, the accumulation of capital stimulated, and that introduced which was so remarkably deficient in the condition of the Irish—viz., a reasonable stimulant to such industry as would tend to produce an improvement in the material condition of the mass of the people. The Danish colonies produced no such results; they rather aggravated the civil dissensions, and ultimately proved the obstacle to the consolidation of Ireland into a national monarchy. They were not sufficiently wealthy and powerful to command respect. Their civilization was not conspicuously superior to that of the natives, and the Paganism still retained by the Danes deprived them of all moral influence among a people, of less political vigour, but professing a purer creed. All the circumstances which enabled the colony of Marseilles to exercise so beneficial an influ-

in southern Gaul were utterly wanting to the Danish trading towns. Their precarious position left two courses only open to them—amalgamation with the natives, or, by the subjection of adjoining tribes, the establishment of a powerful Danish state. The former they never attempted ; the latter they wholly failed so accomplish.

The difference in the social and political ideas of the Dane and Celt naturally rendered the former impossible. How could a Celt be induced to become the citizen of a Danish town ? Could he abandon the ties of tribe and clanship, quit the lands of which he was a joint owner, leave the service of the Christian religion, and join an assembly of men, half rovers, half traders, who, self-confident, bound together by no tie but voluntary acquiescence, gathered in arms at the Thingmot to ratify by the popular voice the councils of an elective chief ? How could the foreign colonists be absorbed into the surrounding tribes ? Which association of clansmen would admit into the privileges of their community aliens in blood and language, of a hateful faith, and the descendants of those who had wasted their country and desecrated their shrines ? Could the sea-loving, wandering Dane have been fused together with the sea-hating, home-abiding Irish, whose sympathies were ever influenced by traditional or local associations ?

Conquest, when attempted upon a grand scale by Norse adventurers, had failed for the causes before mentioned ; much less could small town communities hope to succeed in such a task. Their utmost efforts could not do more than secure the district immediately around their homes ; and they effected this by playing off the Irish chiefs against each other, joining with them successively in temporary alliances, and always ready to unite against that chief whose power inspired them with most apprehension. Thus

these cities formed constant centres for disturbance, and were ever enlisted on the side of anarchy and disorder. At intervals, when some crisis in the northern regions sent out a fresh swarm of adventurers, an effort at conquest and subjection by brute force was made; but such power, acquired by temporary, overbearing violence, was short-lived, and matters regularly relapsed into their former condition. For nearly two centuries such was the history of Ireland. The Annals contain, during this period, merely a recital of interminable battles with the foreigner, in which, with commendable patriotism, the historians attribute many more victories to the natives than the general result of affairs would warrant.

Although it is certain that the Irish, if left by themselves, could not have led, under their system of government—or rather absence of government—a life of peace and quietness; yet no civil wars could have produced the ruin and national and moral deterioration which were the result of the first invasion and continued presence of the Danes.

Toward the end of the tenth century it at last seemed that the long-afflicted nation had found a saviour in the person of the only Irish king who has acquired a position in European history. At this date the Danes of Limerick, largely reinforced by fresh arrivals, attempted the conquest of Munster. The event is thus described in the Irish Annals: “There came after that an immensely great fleet, with Imar, the grandson of Imar, the chief king of the foreigners, and with his three sons. They landed and encamped near the harbour of Limerick. Munster was plundered and ravaged on all sides by them, and they levied pledges and hostages from all the men of Munster. They brought them, under indescribable oppression, to the

foreigner and the Dane. Moreover, he ordained kings and chiefs, stewards and bailiffs, in every territory, and after that in every chieftaincy, and he levied the royal rent. And such was the oppressiveness of the tribute, that there was a king from among the foreigners over every territory—a chief over every chieftaincy—an abbot over every church—a steward over every village—and a soldier in every house. So that none of the men of Erinn had power to give even the milk of his cow, nor so much as the clutch of eggs of one hen, in succour to the aged or a friend, but was forced to preserve them for the foreigner; and, though there were but one milk-giving cow in the house, she durst not be milked, but kept for the foreigner; and, however long absent he might be, his share durst not be lessened. Although there was in the house but one cow, it must be killed for the meal of one night, if the means of supply could not be otherwise obtained; and the tribute of an ounce of silver was paid for every head, and he who had not the means to pay himself, went into slavery. No Irish chief was able to give them deliverance from the foreigner, because of the excellence of their armour, the greatness of their achievements, their strength and valour, and the excess of their thirst for the fruitful, grassy lands of Erinn.”* Among the tribes who suffered from the Limerick Danes was the Dal Cais Borumha, or the race of Cas Mac Tail, grandson of Lughaidh, called Borumha—some say, from the name of a village near Killaloe. The privileges and prerogatives of this favourite tribe are described as follows:—They were exempt from all taxes, hostages, rents, and fees to the King of Cashel, or any other chieftain, “so long as Erinn was not theirs.” They were bound to defend the King of Cashel against aggression, and to support his rights

* *Wars of the Gaedhil and the Gaéll*, p. 49.

against the northern half of Ireland—that is to say, against the chief Kings of Tara, who were of the O'Neill race, and whose sovereignty over Munster was disputed by the descendants of Oilioll Olum. The Dal Cais occupied the van on entering an enemy's country, and guarded the rear in retreat. They had an alternate right to Cashel—that is, the kings of Cashel were to be chosen in alternate succession from the descendants of Eoghan Mòr and Cormac Cas, of which latter race the Dal Cais of Thomond were the most celebrated.*

To understand the position of the Dal Cais, we must bear in mind that they were not of the royal race of Niall, and it was impossible that a chieftain of a subordinate line, however illustrious, could legally occupy the throne reserved for the sacred lineage. The Dal Cais were at this time under the leadership of two brothers—Mathamghain (*Anglice*, Mahon), and Brian.

These two brothers, refusing to submit to the foreigner, carried off their people and their chattels over the Shannon westward, and for some time carried on a merciless guerilla warfare. At length, both parties being thoroughly tired of each other, a peace was made between Mathgamhain and the chieftains of the foreigners. But the younger and more determined brother, refusing to make peace, betook himself to the forests of North Munster. In the prolonged contest which ensued he and his followers suffered severely, and the foreigners cut off his people, so that he had no more than fifteen. Compassionating his brother's misfortunes, Mathgamhain opened communications with him. In a conference between them, Brian fiercely told his more yielding brother that he should not speak of submission, “because it was hereditary for him to die, and hereditary

* *Wars of the Gaedhil and the Gaéll*, p. 53.

for all the Dal Cais, for their fathers and grandfathers had died, and death was certain ; but it was not hereditary to submit, for their fathers had not submitted to any one on earth. It was no honour to their courage to abandon, without battle or conflict, to dark foreigners and dark grim Gentiles the inheritance their fathers and grandfathers had defended in battles against the chiefs of the Gaedhil." Thereupon the tribe of the Dal Cais were assembled before Mathgamhain, and he appealed to them whether they would have peace or war. With one voice, young and old, they answered that they preferred death in defending the freedom of their patrimony to submission to the tyranny of the pirates ; "and this was the voice of hundreds as the voice of one." It was arranged that they should rally for battle on their original tribe land, "for it was better and more righteous to do battle for their inheritance than for land usurped by conquest and the sword."*

In A.D. 968 a decisive battle was fought between the Danes of Limerick and the Dal Cais at Sulchoit, near the town of Tipperary. The Danes were utterly routed, and the city of Limerick captured. "They followed them also into the fort, and slaughtered them in the streets and houses, and the fort was sacked by them after that. They carried off their jewels and their best property, their saddles, their gold, their silver, their beautifully-woven cloth of various colours, their satins, and silken cloth ; they carried away their girls, their silk-clad women, their boys. The fort in the good town they reduced to a cloud of smoke. The whole of the captives were collected on the hills of Saingel. Every one that was fit for war was killed, and every one that was fit for a slave was enslaved."†

* Wars of the Gaedhil and the Gaill, p. 69.

† *Ibid.*, p. 79.

Mathgamhain now established himself upon the throne of Munster. He had broken the power of the Danes in Limerick, and took hostages from the rival chieftains of his own race, and reigned without dispute for about six years. He was subsequently treacherously slain by a conspiracy of the tribal chiefs.

Brian succeeded to his brother, and reduced Munster to complete obedience. He took hostages not only from the chiefs of that district, but also of the churches, lest they should receive rebels or thieves to sanctuary. Thus early in his career Brian exhibited his determination to maintain order and administer justice.

Ossory was next subdued, and at Magh Ailbhe he received the homage of the kings of Leinster. This was in A.D. 984; and subsequently Brian assumed to act as the Supreme King of Ireland. In A.D. 1000 the Leinster men revolted, and made an alliance with the Dublin Danes, who were naturally anxious to prevent the establishment of a vigorous national monarchy. On the advance of Brian, the Leinstermen sent their cattle and families into the territory of the Dublin Danes, and the allied forces advanced to meet the king. The celebrated battle, which finally established Brian upon the throne of Ireland, took place at Glen-Mamma, near Dunlavin, in the County Wicklow. The Danish forces were entirely defeated. The remnants of the beaten army fled to Hollywood, thence to the Horse-pass ford on the Liffey, above Poul-a-phouca, where they were again routed. Maelmordha (*Anglice*, Macmurrough) was captured concealed in a yew tree near Hollywood, from which he was dragged by Murchadh (*Anglice*, Mourrough), the son of Brian. Dublin is stated to have been captured and plundered, though perhaps we may doubt this statement of the Irish annalists. The fo-

reigners were, however, for the time reduced to subjection. “ Ill-luck was it for the foreigners when Brian was born, for it was by him they were destroyed and enslaved. There was not a winnowing sheet from Howth to Kerry that had not a foreigner in bondage, nor was there a mill without a foreign woman. No son of a soldier or officer of the Gaedhil deigned to put his hand to a flail or any other labour, nor did a woman deign to put her hands to the grinding mill, or to wash her clothes, but had a foreign man or woman to work for them.”*

Brian was now undisputed master of Ireland, king, not by hereditary right or popular election, but a king in a higher sense as possessing supreme power, which he wielded for the maintenance of justice and law. He may be called a usurper, but he was (like Cromwell) a usurper far superior to a mere king. Malachi of Meath, the titular king of the sacred race, submitted without a struggle, and assumed a position subordinate to the real ruler.

For several years Ireland was firmly governed by this self-appointed sovereign, and there is no question as to the excellence of his government. “ By him were erected in Erinn noble churches and their sanctuaries. He sent professors and masters to teach wisdom and knowledge, and to buy books, beyond the sea and the great ocean, because the writings and books in every church and sanctuary had been destroyed by the plunderers ; and Brian himself gave the price of learning and the price of books to every one separately who went on this service. Many churches were built and repaired by him, bridges and roads were made, the fortresses of Munster were strengthened.†

* Wars of the Gaedhil and Gaill, p. 117.

† *Ibid.*, p. 139.

“ He continued in this way prosperous, peaceful, hospitable, just-judging, venerated, with law and rule among the clergy, with honour and renown among the laity ; powerful, secure for fifteen years in the chief sovereignty of Erinn.”

A truly national government of this description found its bitterest enemies among the provincial chiefs, who longed to restore anarchy, and were willing to league with the foreigner for that purpose. It required years of stern restraint to crush local tyrants into obedient nobles ; and Brian was not granted a sufficient space of days, nor found a successor capable of fulfilling his self-imposed task. The final outburst, which ended in the death of Brian at the hour of victory, and threw Ireland back into hopeless confusion, arose, as might have been expected, from the wounded vanity of a provincial chief. Maelmordha, the defeated, of Glen Mamma, was conducting to Brian’s palace of Cenn Coradh three masts of pine. A dispute arose in ascending a boggy mountain, whereupon the chief himself put his hand to one of the masts. He had on him at the time a silken tunic which Brian had given him, and with the exertion one of the buttons of the tunic broke. When he arrived at Cenn Coradh, he sent the tunic to his sister Gormlaith, a step-daughter of Brian, to have it repaired. Gormlaith cast the tunic into the fire, and reproached her brother, saying she deemed it foul scorn that vassalage should be suffered by him, whose fathers had never endured it, and that his degradation would be entailed upon his children. Full of angry thoughts and discontent, Maelmordha stood by the next day at a game of chess played between Murchadh, who had dragged him from the yew trees at Glen Mamma, and Conaing, a nephew of Brian. Maelmordha having advised a move by which Murchadh

lost the game, the latter cried, “ ‘Twas thou that gavest advice to the foreigners when they were defeated.” Angry taunts were at once exchanged. “ I will give them advice again, and they shall not be defeated.” “ Have a yew tree ready.” Then Maelmordha turned, and without leave-taking fled from the king’s presence. Brian sent after him a messenger of peace ; but the angry prince turned, and struck him to the earth at the head of the bridge of Killaloe. “ Some were anxious to pursue him then, and not to allow him to escape until he had made submission ; but Brian said it should be at the threshold of his house he would demand justice from him, and that he would not prove treacherous to him in his own house.”*

Leinster at once rose to arms, and the most zealous allies of the insurgents were the Danes of Dublin, ever anxious to promote disorder. Sigtrygg was then the Danish king of Dublin ; his mother’s name was Kormlada. “ She was the fairest of all women, and best gifted in everything that was not in her own power ; but it was the talk of men that she did all things evil over which she had any power.” Kormlada was the divorced wife, or the discarded mistress, of Brian ; and “ so grim was she against King Brian after their parting, that she would fain have him dead.”† King Sigtrygg was himself married to a daughter of Brian.

The Dublin Danes, remembering the battle of Glen Mamma, distrusted their own strength, and desired to enlist in their cause the Norsemen of the Western Isles. The times were singularly propitious for such a project. The increasing power of the Norwegian king and the extension of Christianity had crippled the power of the western jarls.

* Wars of the Gaedhil and Gaill, pp. 143-147.

† Burnt Njal, vol. ii., p. 323.

They feared and hated the extension of the sovereign power; they loathed Christianity, as a religion forced upon them by brute violence. The doctrines of the Gospel had been preached among the Norse as they never were else. Their watchword was, “Baptism or death;” and those who unwillingly had submitted to that rule were eager to relapse, on the first safe opportunity, into their former faith. The western jarls must have readily accepted an alliance which promised to them fresh conquests, and an opportunity of establishing themselves in security after the old ways. Chief of the Orkney jarls was Sigurd, a Christian by name, but who had only yielded to the preaching of King Olaf, Tryggvi’s son, when that zealous missionary had him entirely in his power, and had threatened to hew off his son’s head before his eyes over the gunwale. To the court of Sigurd came King Sigtrygg, seeking aid. The tale of how he fared is told in the *Burnt Njal* :—

“Then King Sigtrygg stirred in his business with Earl Sigurd, and bade him go to the war with him against King Brian.

“The earl was long steadfast; but the end of it was that he let the king have his way, but said he must have his mother’s hand for his help, and be king in Ireland if they slew Brian. But all his men besought Earl Sigurd not to go into the war, but it was no good.

“So they parted on the understanding that Earl Sigurd gave his word to go; but King Sigtrygg promised him his mother and the kingdom.

“It was so settled that Earl Sigurd was to come with all his host to Dublin by Palm Sunday.

“Then King Sigtrygg fared south to Ireland, and told his mother, Kormlada, that the Earl had undertaken to come, and also what he had pledged himself to grant him.

“ She showed herself well pleased at that, but said they must gather greater force still.

“ Sigtrygg asked whence this was to be looked for ?

“ She said there were two Vikings lying off the west of Man ; and that they had thirty ships, and, she went on, they are men of such hardihood that nothing can withstand them. The one’s name is Ospak, and the other’s Brodir. Thou shalt fare to find them, and spare nothing to get them into thy quarrel, whatever pine they ask.

“ Now, King Sigtrygg fares and seeks the Vikings, and found them lying outside off Man ; King Sigtrygg brings forward his errand at once, but Brodir shrank from helping him until he, King Sigtrygg, promised him the kingdom and his mother, and they were to keep this such a secret that Earl Sigurd should know nothing about it ; Brodir, too, was to come to Dublin on Palm Sunday.

“ So King Sytrigg fared home to his mother, and told her how things stood.

“ After that those brothers, Ospak and Brodir, talked together, and then Brodir told Ospak all that he and Sigtrygg had spoken of, and bade him fare to battle with him against King Brian, and said he set much store on his going.

“ But Ospak said he would not fight against so good a king.

“ Then they were both wroth, and sundered their band at once. Ospak had ten ships, and Brodir twenty.

“ Ospak was a heathen, and the wisest of all men. He laid his ships inside in a sound, but Brodir lay outside him.

“ Brodir had been a Christian man, and a mass-deacon by consecration, but he had thrown off his faith, and become God’s dastard, and now worshipped heathen fiends, and he was, of all men, most skilled in sorcery. He had

that coat of mail on which no steel would bite. He was both tall and strong, and had such long locks that he tucked them under his belt. His hair was black.

“ It so happened one night that a great din passed over Brodir and his men ; so that they all woke, and sprang up, and put on their clothes.

“ Along with that came a shower of boiling blood.

“ For two nights followed other portents.

“ On the fourth night they went to sleep first of all, but when Brodir woke up, he drew his breath painfully, and bade them put off the boat, ‘ for,’ he said, ‘ I will go to see Ospak.’

“ Then he got into the boat and some men with him, but when he found Ospak he told him of the wonders which had befallen them, and bade him say what he thought they boded.

“ Ospak would not tell him before he pledged him peace, and Brodir promised him peace, but Ospak still shrank from telling him till night fell.

“ Then Ospak spoke and said—‘ When blood rained on you, therefore shall you shed many men’s blood, both of your own and others. But when ye heard a great din, then ye must have been shown the crack of doom, and ye shall all die speedily. But when weapons fought against you, that must forebode a battle ; but when ravens pressed you, that marks the devils which ye put faith in, and who will drag you all down to the pains of hell.’

“ Then Brodir was so wroth that he could answer never a word, but he went at once to his men.

“ Ospak saw all their plan, and then he vowed to take the true faith, and to go to King Brian, and follow him till his death day.

“ Then Ospak told King Brian all that he had learned,

and took baptism, and gave himself over into the king's hand.”*

At the appointed time Earl Sigurd arrived in Dublin, proclaiming his heathendom, by carrying in front of his army the famous Raven banner, wrought by magic spells, which bore victory to the host before which it fluttered, but death to the man who bore it. Hither, too, came Brodir, the apostate deacon, and Maelmordha, with the men of Leinster, and the Hy-Kinshela of the county of Wexford.

Meanwhile Brian approached Dublin with the troops of Munster, Connaught, and Meath; having burned Kilmainham, he despatched his son, Donough, to plunder Leinster, and himself encamped on the green of Dublin.

“ Brodir tried, by sorcery, how the fight would go, but the answer ran thus, that if the fight were on Good Friday, King Brian would fall, but win the day; but if they fought before, they would all fall who were against him.”

On the eve of the battle various portents appeared, which show how fully alive both parties were to the great issue between them. Odin appeared in the pagan army. During the night Brian was warned by the guardian spirit of his race. At length, on the morning of Good Friday the allied army issued out from Dublin.

To understand what occurred, we must remember how much of Dublin has been built over lands reclaimed from the sea in the last century. The city covered only the region on which Christ Church stands. The river was crossed by a bridge at the foot of the present Bridge-street, beyond which there was a fortified suburb, whence ran the great northern road, now known as Stoneybatter. The sea-shore ran from Essex-bridge, through Abbey-street,

* *Burnt Njal*, vol. ii., pp. 227-232.

Sackville-street, and below the ridge upon which Summerhill is built, down to the present Ballybough-bridge, where was then a stake-weir. It was perfectly possible, from the fortifications of the old city, to see the whole shore of the north side of the bay, which was then fringed with scrub-wood.

The Danes and Leinster men marching out from Dublin, instead of advancing northward, and securing their retreat to Dublin, turned due east towards Clontarf, losing all connexion with the city, and trusting for retreat to their galleys, which were brought up to the shore.

The Irish army must have been drawn up facing the south or south-west. In its array, also, Irish and Danes were mingled. The Viking Ospak was opposed to King Sigtrygg of Dublin, and the Irish of Leinster were opposed to the Munster Irish of Brian. For the Irish, their existence as a nation was staked upon victory and the life of Brian. By the Norsemen the combat was regarded as the last struggle of heathendom.

The annalists inform us—and their statement is confirmed by incidental evidence—that the struggle was protracted from sunrise to sunset, when, at length, the allied Danes and Leinster men gave way.

Dark forebodings that they were fighting on a losing side seem to have filled the breasts of the bravest Norse. Two successive bearers of the Raven banner were slain. “Then Earl Sigurd called on Thorstein, the son of Hall of the Side, to bear the banner, and Thorstein was just about to lift the banner, but then Asmund the White said:—

“‘Don’t bear the banner! for all they who bear it get their death.’

“‘Hrafn the Red!’ called out Earl Sigurd, ‘bear thou the banner.’

“ ‘Bear thine own devil thyself,’ answered Hrafn.

“ Then the Earl said :—

“ ‘Tis fittest that the beggar should bear the bag,’ and with that he took the banner from the staff, and put it under his cloak.”*

Sigurd accepted his fate as the last hero of a beaten creed.

The routed army was driven back, not upon Dublin, but upon the sea. A fierce struggle took place at the ford of the Tolka, the only means left of reaching Dublin, which the remnants of the Danes, flying towards the city, held against their pursuers.

The Irish legends tell us that all day long Sigtrygg viewed the battle from the battlements upon which, in the next century, the last Danish king was beheaded in view of the Scandinavian fleet. By him sat his wife, the daughter of Brian. As they saw on the northern shore of the bay the fury of the first assault of Sigurd’s Orkney men, “ Well, do the foreigners reap the field,” said the king to his wife ; “ many a sheaf do they cast from them.” “ The result will be seen,” said she, “ at the end of the day.” As the flight of the Danes to their ships was seen by Sigtrygg and his wife, “ It seems to me,” said Brian’s daughter, “ that the foreigners have gained their patrimony.” “ What meanest thou, woman,” said the king ? “ Are they not rushing into the sea,” said she, “ which is their natural inheritance ? I wonder are they in heat, like cattle ? If so, they tarry not to be milked.” In his rage, the king struck her in the face.†

Meanwhile what had been the fate of Brian ? Too old to join personally in the combat, he remained in the rear of the host. A cushion was spread under him, and he

* Burnt Njall, vol. ii., p. 334.

† Wars of the Gaedhil and the Gaill, p. 193.

opened his psalter, and as a Christian king he prayed for victory. As the day wore on he asked for tidings—what was the condition of Murchadh's standard? He was told it was standing and many banners of the Dal Cais around it. Again he asked the same question, and was told that the banner of his tribe was flying at the west of the array. Towards evening he again repeated the question; he was told that of the armies on either side the greater part was slain, the foreigners were defeated, but Murchadh's standard had fallen. On the death of his eldest and best beloved son, the old man lost all heart. He would not mount his horse and retire to the camp, and declared that in a vision the spirit of his house had foretold to him he should be slain. While he lingered, a party of Danes approached them; it was the viking Brodir, who, disdaining flight, had fought his way through the opposing enemy, and with two attendants alone sought the woods. "There are people coming toward us here," said his attendant to Brian. "Woe is me! What manner of people are they?" said Brian. "Blue, stark-naked people," said the attendant. "Alas!" said Brian, "they are foreigners of the army; it is not to do good to us they come." As Brodir, in his haste, passed by without observing the king, one of his attendants plucked him back, crying, "The King! The King! This is the King." "No," cried Brodir, "a priest! a priest!" "No," said the soldier, "it is the great king Brian." Brodir turned back, and the last heathen viking and the only king of Ireland fell by each other's hands.*

Both parties might now count their losses. The bravest and best of the champions on either side had fallen. The Irish army, mangled and weakened, held the field of battle.

* Wars of the Gaedhil and the Gaill, p. 197.

The remnant of the Danes and Leinster men still occupied Dublin, and the Danish fleet of Sigurd still rode at anchor in the bay. Both parties were practically defeated—both parties lost the great stake for which they had played. Ireland was not to be handed over to heathen invaders, nor was it longer to endure the blessing of a just and powerful government. This day of bloodshed and slaughter, of disaster and double failure, was long remembered in the annals of the North. For the last time by mortal eyes the weird sisters were seen to weave their fatal woof which they tore asunder, as if to typify that ruin and destruction fell that day on all alike. In their magic song they predicted that a new nation was to conquer and rule Erinn :—

“ Now new-coming nations
 That island shall rule,
 Who on outlying headlands
 A bode ere the fight.
 I say that king mighty
 To death now is done,
 Now low before spearpoint
 The Earl bows his head.”

In Ireland, at Swinefell, blood appeared upon the priest's stole on that fatal Friday, and at Thvattwater the priest at Mass that day saw such awful sights that it was long ere he could sing the prayers.*

After the battle, Donnchadh returned with the poor spoil of five and twenty oxen, which were slaughtered by the remnant of the Irish on the green of Dublin, upon which angry challenges occurred between the Danish king of Dublin and Donnchadh, Brian's heir, but neither party were inclined to renew the battle. That night the Irish camp was all confusion. The reluctant vassals of Brian

* *Burnt Njal*, vol. ii., p. 339-342.

hailed his death as the restoration of freedom, or at least scorned to submit to his successor. They said among themselves—"The attention of Brian's son will be on you, to seek for lordship and power such as his father had, and should he reach his home he will be more difficult to meet than now."* The Munster men, remembering that the right of the Dal Cais was to an alternate sovereignty only at Cashel, insisted that Brian's son should abdicate and sink to the position of a subject.

Donnchadh replied to this, that it was not voluntarily they had become subject to his father or to his father's brother, for the whole of Munster had been wrested by Brian from the foreigners when the natives were unable to contest it with them; that if he had equal numbers on his side they never should have left him till they had submitted.

The Munster men rose in arms against the son of Brian. Thus, within three days after the death of the king we find the only surviving son of Brian assailed by the remnant of the Irish army. The dissensions of his assailants, who quarrelled among themselves, enabled the remnants of the Dal Cais to escape; but so enfeebled were they, and so utterly, with the death of Brian, had they lost their supremacy, that they barely escaped at Athy from the hands of the men of Ossory, whose chief had been formerly taken prisoner by Brian and forced to give hostages.

Such was the end of the battle of Clontarf, in which, if the foreigners were defeated, a far greater disaster fell upon the Irish people, and the real victory was won by anarchy over order. The dethroned Malachi resumed his kingdom as if his administration had never been interrupted. Brian was treated as a usurper; and in the same century Tigher-

* Wars of the Gaedhill and the Gaill, p. 213

nach, recording the death of Malachi and the length of his reign, ignored the twelve years of Brian's usurpation, including them in the total which he assigned to Malachi —as in English history we count the years of Cromwell's government as portion of the reign of Charles II.

The Norse were not driven out of any of their sea-board towns; retaining their former position, they continued their usual conflicts with the native tribes. The Normans, upon their arrival in Ireland, found the sea-board towns in the hands of independent Danish communities. After a short but fierce resistance, the Danes amalgamated with what must have seemed to them a kindred race, and we find them at a very early period actively assisting the Anglo-Norman invaders. Dane and Norman, in the eyes of the natives, were alike styled Gaill, or foreigners; but for centuries the Scandinavian descent of the citizens of many Irish towns was an acknowledged fact, and their position and privileges were recognized by the English Government.

But upon the Celtic nation fell ruin and disorder. There was none powerful or wise enough to carry out the great views of Brian. The old system, ill-constructed as it was, had lost hold of the national mind. The constitutional principle under which the Ard-Righ (or supreme king) had been exclusively elected from the descendants of Niall of the Hostages was no longer acquiesced in. The princes of Connaught and Leinster asserted claims to the throne, maintaining that they had as good a title as Brian to become Ard-Righ in their turn. So, from the death of Malachi to the arrival of Strongbow, Ireland was a chaos, in which the chiefs of the great separate tribes struggled to secure temporary supremacy. It is not so strange that the English invasion succeeded in A.D. 1170, as that so tempting a field had not been previously occupied by some other adventurers.

LECTURE IV.

THE INVASION OF IRELAND BY THE NORMANS.

IN the twelfth century it must have appeared certain that the powerful and ambitious Norman rulers of England would extend their power over all the British Islands. It might have been supposed that such an extension of their power would have proved advantageous to nations, who, although differing in language and origin, had identical interests, material and political. But that which seemed certain and imminent required more than four centuries for its accomplishment; that which might have seemed advantageous cost both nations unbounded treasure and outpourings of blood, and brought upon Ireland the contemptuous pity, and upon England the moral reprobation, of Europe.

I stated on the last occasion that it is not so surprising that Ireland was conquered, or rather assailed, in the twelfth century, as that such event had not occurred seventy years before. The Red King from the coast of Pembrokeshire had gazed upon the Western Island as a destined conquest. A petty prince of the Isle of Man had conceived and essayed this enterprise. Ireland seemed to invite a conqueror.

The Irish nation was in the condition of political and social dissolution. The royal house of Niall no longer ruled

in undisputed sovereignty. The hill of Tara had long been crowned but with ruins ; thither no supreme elected chief summoned his kindred rulers of provinces, and subordinate chiefs of less distinguished but as ancient lineage, who, thus reminded of their common origin, returned home to maintain order and right each in his native tribe. This government, perhaps mythical and ideal, had passed away for ever. It had been ruined and trembling to its fall, when Brian levelled it to the earth for ever. He strove to found a well-ordered kingdom by force, enlisted in the cause of order—the rule of the sword, sternly wielded in the name of justice and peace ; but he, too, had perished, and with him his system. No successor to his noble ambition arose strong enough to grasp his fallen sceptre. Now reckless chiefs fiercely struggled for illusory supremacy. How few without crime reached the throne ! How few died a bloodless death ! And meanwhile, each local chieftain in his narrow sphere did what seemed right to him in his own eyes ; if powerful, oppressing his neighbours ; if weak, oppressed by them. The monastic establishments, the only refuges for religion and civilization, had been annihilated during the Danish invasions.

The state of the nation called for a radical change. Political disorganization cannot be the normal condition of any people. If so, the world would relapse into worse than ancient barbarism. Political disorganization is the certain precursor of political and social revolution—of one of those crises in history which resemble the cataclysms conceived by former geologists as terminating an era, and introducing a new creation. A disorganized nation is a mournful spectacle. To us at present there is no more melancholy study than the people of Mexico ; but still more melancholy to imagine a people so brilliant and gifted as

the Celts, abandoned without guidance, and blindly stumbling they knew not whither.

Terrible seems the crisis when it arrives. It is introduced and accomplished amid increased personal suffering. Those whom we most respect as individuals, all that is most to be sympathized with, are enlisted in the party who strive to support the impossible. But after the heat and confusion of the combat has passed, and we look back upon it as an historic past, we generally see that the nation's regeneration has been cheaply purchased by the sufferings of individuals. The destruction of the Roman Empire is the most terrible event in history. Unspeakable were the miseries which accompanied its fall. But when we behold the glorious edifice of the Middle Ages arising amidst its ruins, or when we look round upon Christian civilized Europe, can we regret for a moment the fall of the corrupted Pagan world? When we behold civilized and well-ordered Germany, our satisfaction is not diminished by the recollections of the Saxon war of Charlemagne, or the merciless conquests of the Teutonic knights. Though we read with horror the history of the Reign of Terror, do any French, except the fashionable coteries of the Faubourg St. Germain—does any educated man desire that the verdict of the Revolution were reversed, and that a degenerated Bourbon still ruled over France?

The advantage, however, of a revolution is in the proportion of its intensity and completeness. It must utterly annihilate the past and its traditions, that a clear stage may be left for the new construction. What is to be done should be done quickly, as Napoleon wrote to Cialdini, "Frappez vite et frappez fort." For, of all political disasters, the worst is that a nation socially disorganized should suffer from an unsuccessful revolution or an incom-

plete conquest. The latter state of that nation is worse than the first. Political disorder is exasperated by class and personal animosities, and civil war inflamed by national hatred. In the fourteenth century, in France, Marcel, with ideas far before his time, attempted to reorganize his country. When he perished, he left the condition of France worse than before. Thus in Ireland an incomplete conquest and ill-conducted colonization gave over the island to greater confusion, and that which in ordinary cases might have been a cure proved in this an aggravation of the disease.

In considering the subsequent history of Ireland, we should avoid entertaining the embittered feelings of party. We must regard and study the past with calmness and patience, knowing that whatsoever has been done was so done under the direction of an all-wise Providence; and that we may feel sure that a future generation, who will look back upon our time as an historic past, will be able in this instance as in all others, to say, “God is justified in all His works.”

The subject of to-day’s Lecture is what is called the “Conquest of Ireland by England,” an expression in every way incorrect. There was an invasion, feebly and ill-conducted, which ended in a conquest at the commencement of the reign of James I. Further, there was not existing in the twelfth century any kingdom corresponding to what we now call “England.” Henry II. was then, indeed, the King of England, but he was also Duke of Normandy, Count of Anjou, and ruler of many fair lands in France. He had his palace in England, but sojourned most of his time on the Continent. He had no English ideas or sympathies; he did not speak the English language; if his mother was a daughter of the Norman ruler of England, he

drew half his blood, and more than half his character, from the princes of the robber house of Anjou. Rightly he rests in the Abbey of Fontevrault, near the city of Angers; and lately, when uncritical English patriotism desired to remove his tomb to Westminster, the local feeling of Angers protested against the desecration, truly saying, “Was he not an Angevin?” Various were the nations over whom he ruled, without any national or political unity; but if the subject races and townspeople differed in language, customs, and ideas, over them all extended a ruling class, organized according to the feudal system, inspired with similar ideas, speaking the same language, and for the most part sprung from the Norman race—that race which then, as adventurers and rulers, was scattered over every land, from the Frith of Clyde to the Strait of Messina, from the banks of the Seine to those of the Euphrates.

Who were those Normans, and what were the ideas and laws they were destined to introduce into Ireland? As we all know, they were but a few generations removed from the genuine Norse followers of the famous Rolf; yet in this short time they had been much altered by changed habits, infusion of foreign blood, and subjection to a new form of government. By intermarriage with French they had lost the tinge of northern melancholy, the deep sympathy with nature, and that love of their lonely homes which their fathers had entertained. In place thereof they had acquired a light and superficial gaiety, a love of pomp and pleasure, and a true sympathy for art; they were no longer worshippers of Odin, but among the most zealous patrons of the churches they had wasted. Their Christianity, it must be admitted, was but superficial, and seldom influenced their words and actions, until a tardy repentance was manifested in the endowment of a church or retirement to a cloister. No longer

did they rove the seas as born sailors, ready to sail before any wind or land on any shore ; they had become a nation of heavy-armed horsemen, dwelling apart in their several castles, and ruling over a conquered and inferior race. Their fathers had scorned the idea of a sovereign lord, and in open assembly had debated public affairs, or in bands of free companions had started upon adventures. The descendants of the Norsemen had grown into an aristocracy, overbearing to inferiors, but in turn repressed by the able and vigorous government of the descendants of Rolf.

We may realize the great external change thus wrought among the Normans by picturing to ourselves the different scenes which the two great battles fought in England in the autumn of 1066 respectively presented. At Stamford Bridge, Harold Harfagr, the last great Norse adventurer, led for the last time a Norse army to battle on the soil of England. Side by side on foot, in one dense array, they gathered for the fatal struggles, shoulder to shoulder, as brothers and equals, fighting with sword and battleaxe ; and when the masses of the Saxons gathered round, and defeat and destruction were imminent, their great leader rode along their line upon his black war-horse, and, bursting into wild poetic frenzy, poured forth his exulting, though despairing, death song, the last and brightest gem of northern poetry. A few short days after Harold saw the Normans advancing from their wooden castles on the shore, in dense bodies of mail-clad horsemen, preceded by clouds of archers of inferior rank, and supported by mercenaries from every land in Northern France. The organized array moved like a machine, under the guidance of their experienced leader ; the foremost ranks were marshalled by the warlike Bishop of Bayeux ; and in front

of all rode the Jongleur Taillefer, singing in Norman-French the renown and death of Roland.

But one quality the Normans inherited from their ancestors unimpaired—their boundless self-confidence and love of adventure. They had begun to extend beyond the limits of Normandy, when the events of the eleventh century precipitated them upon Europe. In 1066 William the Bastard conquered England; and those who followed him in that adventure, as squires and grooms, became belted knights and estated barons. About the same time the news must have reached Normandy that a wandering band of Norman pilgrims had, by sudden and miraculous deeds, become rulers of the southern half of Italy. Almost immediately after followed the first Crusade, in which the Norman leaders took the most active part. It was not they who toiled on to the walls of Jerusalem, and freed the Holy Sepulchre. They left that task to less worldly enthusiasts, whilst they themselves conquered and possessed fair cities in Syria, even to the banks of the Euphrates.

It is not wonderful if, after such events, there arose a spirit of adventure such as possessed Europe in the sixteenth century; that every landless man, or who had lost his land, was ready to start upon any expedition, picturing to himself wealth to be gained and kingdoms to be won. From their original seat the Normans had wandered northward to the Scottish hills, southwards to the shore of Sicily, eastwards even beyond the Holy City. Were not they to spread westward also? They had crossed the British Channel and overborne a powerful nation. Was the narrow strip of water between Ireland and Wales to check their progress? Were they to halt upon the western shores of England, when beyond the narrow sea the fair western island seemed to offer itself an easy prey? At last the

wave of Norman aggression broke upon our shore, and the first straggling adventurers were merely the foam and scum cast forward by the advancing billow.

We must here pause. The history of Ireland now assumes a new aspect—it is no longer that of an isolated people, living apart from Europe, with peculiar ideas and an antiquated social state. It is now for the first time involved in the web of European history, political and moral. Henceforward no great events occur on the Continent without ultimately affecting Ireland—no new ideas, political or religious, arise which are not in some form applied to the government of Ireland. The feudal system and Continental ideas were suddenly and violently transplanted into this country. The Scottish and French wars of the Edwards, and subsequently the wars of the Roses, weakened and almost annihilated the Norman race in Ireland. It is impossible to understand Elizabeth's policy in Ireland if we do not bear in mind that it was part of the great contest in which she struggled for life against Philip of Spain. At the Boyne little did William regard the question of this country's future. He repelled the attack which, through Ireland, Louis XIV. aimed at England, while the two Irish parties were each but pawns in the great European game.

European ideas have also constantly reacted upon Ireland, and affected its government. Feudalism was introduced almost directly from the Continent into this island. The great German Reformation, which Dean Milman truly styles “the Teutonic development of Christianity”—an event wholly repugnant to the Celtic mind—has permanently affected the condition of the country. The celebrated penal laws are the reflection of the equally detestable legislation of the Bourbons. The strange policy of England

during the last century was a logical adoption of the commercial theory. I therefore protest against the method adopted by Irish historians of shutting themselves out from all the events which occur beyond a narrow local horizon. They endeavour to learn the history of this country by devoting their attention to it alone, and ignoring the rest of the world. Suppose such a course of study applied to any other subject. If a naturalist, who undertook to write a monograph upon any special species, entered upon the task ignorant of the nature of the place where the animal was produced, and how it had been nourished, ignorant of all other similar and dissimilar species, what would be the value of his work? He would mistake the object of its peculiar organs; would expatiate at length upon organs common to it with others, and would fail to observe its peculiar deficiencies. Yet this is the spirit in which Irish history is usually studied and written. But as anatomy has only risen into a science when studied comparatively, so only can the history of a country be clearly understood by ceaselessly comparing its laws, political institutions, and ideas with those of other nations. This appears to me especially applicable to Irish history, which is the record of the prolonged struggle between two distinct nations subsisting within the narrow limits of this island, but, like oil and water in one vessel, refusing to amalgamate—the one nationality clinging to its ancient, almost traditional policy, the other constantly imbibing the new ideas which from time to time became accepted in England.

The first effect of the arrival of the Normans was the introduction into Ireland of the feudal system. What were the peculiar points and ideas in that system which conflicted with the ideas prevailing among the Celts? It is necessary to draw your attention to the pervading ideas of

this form of government. It was the habit of those writers of the last century who involved in indiscriminate condemnation the period they ignorantly termed "the dark ages," to treat the feudal system as devised by a barbarous aristocracy for the purpose of riveting the chains of degraded serfs. In their minds it is associated with robber barons and a pillaged and outraged people. The writers upon Irish history, particularly those professing national sentiments, affect these opinions, which are now laughed at by the educated foreigner, and assert that the vile laws of feudalism, displacing those of the tribal system, have entailed ruin upon the country. But what was the feudal system? It was that great organization under which France extricated herself from the disorders which followed the fall of the Carlovingians, and gradually attained the civilization of the thirteenth century. It is the system by which the reign of definite law was again established, and under which the great abbeys and universities were founded, the scholastic philosophy flourished, and the works of art were produced which we now strive to imitate, with the consciousness that they are as inimitable as the Parthenon itself.

The feudal system was founded upon two distinct ideas —the one a principle of Roman law, the other a custom of the Teutonic tribes. The Roman emperors, as the representatives of the people, concentrated in themselves the powers and property of the nation. They could truly use the boastful expression of Louis XIV., "L'etat, c'est moi." They were the sole fountains of law, justice, and honour. They claimed to possess all property which had not been appropriated to private individuals. A theory so advantageous to the ruler could not fail to be adopted by the Teutonic chiefs, who succeeded to their inheritance. Upon

the conquest of Gaul, the Frank kings appointed “counts” to govern the several districts of the country. These counts originally were supposed to fulfil the sovereign’s duties in their respective localities, and collected the revenues and occupied the lands of the State, or such confiscated lands as were allotted for their maintenance; but the power they exercised and the property they enjoyed were held by them by a strictly official title, and were not transmissible to their descendants. From among whom were these counts selected? Every Teutonic chief was surrounded by a band of personal followers, styled by French historians their “lendes.” These “lendes” entered into a compact with the chief to serve him, to fight for him, to remain faithful to the death. The chief undertook to protect them, to maintain them, and to act as their patron. This was not a servile connexion, but an engagement of free men to follow their chosen chief, and it might be dissolved and abandoned by either party. The chief was their lord, and they became his men. The same relation existed among the Saxons in England, where we find frequent allusions to the “house carls,” ever true to death, of whose organization we have a detailed account in Kemble’s “History of the Anglo-Saxons.” A local governor, appointed from among this class, was bound to the king in the double character of a public functionary and a personal retainer. When the feudal vassals in France succeeded in making the estates they enjoyed heritable by their descendants, they transmuted in “property” what had previously been merely an official position, with its attendant emoluments. But the property they so acquired naturally retained many characteristics of its former nature. The owner of a fief did not hold it as “his own,” with which he might do as he listed. He had distinct duties, which he was bound to

perform. He owed military service to his lord, and justice to his own vassals and subjects. If he failed in this, he entailed upon himself the loss of his estate, which, wholly or partially, fell back into the hands of the king, by whom it had been originally granted. If he were guilty of breach of fealty, or crime against the State, he incurred forfeiture. If he died without heirs, his estate “escheated.” If the owner of the fief were a woman, the lord had the right to provide a husband fit to fulfil the duties incident to her property; if a minor, the lord assumed the fulfilment of his duties during his minority, and saw to his fit education. These were the right of marriage and wardship. As the king enfeoffed his vassals, so they in turn made similar grants to subordinate tenants, who held of them upon the same conditions. Also the owners of private or “allodial” property, finding no protection in a turbulent age save in the patronage of some powerful chief, voluntarily abandoned their independent position, and became the “men” of the nearest lord, converting their absolute property into “fiefs.”

The principles and growth of the feudal system are brilliantly summed up by a French writer:—“Presque aussitôt apres la conquête, il arriva que voulant recompenser tels ou tels de leur compagnons des chefs opulents leur donnèrent au lieu d’argent, d’armes, ou de cheveaux, des portions de terre, auxquelles, par l’effet de ce don, se lia une idée de dépendance. Les domaines concédés de la sorte ne le furent pas sans réserve; ils restèrent chargés d’une redevance; ils ne conferèrent, d’abord, qu’une possession dont sa vie déterminait la durée et en virtu de laquelle il fut tenu, sous le nom de vassal, à suivre la bannière du donateur, son suzerain. Ce sont les domaines de cette dernière espece qui, du V^e au X^e siècle, portent dans les documents anciens le nom de bénéfices, du mot ‘*be-*

neficium' bienfait, et qui a dater du X^e siecle prennent le nom de 'fief,' des deux mots germaniques 'fee' salaire et 'old' propriété. La nécessité pour les chefs de s'assurer par des récompences la fidélité de leurs compagnons ; la difficulté de le faire autrement que par des concessions d'immeubles, a une époque où l'argent étais rare ; la tendance des propriétaires faibles et menacés à rechercher la protection des propriétaires plus puissants, en les prenant pour suzerains, tout cela contribua si bien à étendre la propriété bénéficiale, qu' insensiblement les aleux disparaissent ; la maxime *pas de terre sans seigneur* prévalut, et à la fin du X^e seicle l' enchaînement hierarchique de benefices ou fiefs, de clarés déjà héréditaires par Charles le Chauve, constitua d'une manière définitive le régime feodale."

Thus the feudal system gradually extended over France, not suddenly or by any ordinance of the sovereign, but gradually, and because it afforded to the mass of the people a comparative orderly government, in which each found his definite legal position. Even at the end of the seventeenth century there were districts in France to which feudalism had not penetrated. Thus there was established a vast hierarchy, extending from the sovereign at its summit to the lowest vassal at its base, each occupying a definite position, having rights and duties in relation to those placed both above and below him. We even find that, after no long interval, the duties and position of the serfs became fixed and defined. Although still serfs, they ceased to be slaves subjected to capricious tyranny. This system, arising in France (then, as now, the originator of new social ideas), was adopted by the Normans, and carried out by them to the highest point of logical development. They carried it with them in all their wanderings.

Upon it alike were organized their settlements in Ireland and their possessions in Syria. By this was the whole legislation of England penetrated, so that English lawyers believed it to be the highest and most perfect system—in fact, could conceive no other, and, with sublime English complacency, assumed every other code not to be “law,” but a confused aggregate of dangerous customs.

No two forms of social life could be more contradictory than the tribal and the feudal systems: the former was a development of the family, the latter a complicated political and military organization. The former was based upon blood-relationship; in it the land belonged to the tribe as a whole, the chief was the elected minister of the tribe, the property he possessed was enjoyed merely during the tenure of his office, from which he could be expelled for conspicuous failure in the performance of his duties. Each member of the tribe shared, as of right, in the tribal property, was defended and avenged by the tribe, was judged by the tribal Brehon, and formed a member of a community which, however small, was in theory independent.

In the feudal system the land belonged in absolute ownership to the Crown, which permitted certain individuals, by virtue of a defined contract, to possess in it a limited ownership. The lord ruled his vassals in virtue of his ownership of the land, not as being of their kin or by their election. The vassals had no connexion among themselves, save the accident of standing in the same relation to the one lord. They held their lands, not as their own, but upon the performance of specified duties. They were subject to the jurisdiction and control of the heirs of their lord, and the rights over them passed like other property.

It cannot be denied that both of these systems were

admirably adapted to meet the difficulties of that social state in which they respectively originated; but none of the advantages of either were possessed by the other, and the ideas they fostered were altogether different.

Among what manner of men, and into what country, were the Normans about to introduce this feudal system? In the first Lecture a slight sketch has been given of the polity of the Irish Celts. It remains now to draw your attention to the geographical position of Ireland.

The physical conformation of Ireland differs from that of almost every other island, and its political history has been largely affected by its physical condition. Most islands are traversed by mountain ranges on the line of their greater length, and the highest mountain peaks are found in the central districts. The reverse is the case in Ireland, which, resembling a plate, has the centre depressed, and a mountainous seaboard.

The most remarkable feature in the distribution of high and low land in Ireland is the great plain which occupies almost the entire central district, and extends from Dublin on the east to Galway on the west, and from Sligo and Fermanagh on the north to the confines of Cork and Waterford on the south.

The chief mountain groups are external to this plain. Commencing from Dublin, where the plain reaches the sea, we find the ranges of the Wicklow and Leinster mountains, which extend southward from the county of Dublin to the confluence of the Barrow and the Nore. From the southern extremity of this range commences a series of mountain groups, skirting the plain on the south. These, known as the Slievenaman, Knockmildown, and Galtee ranges, extend across the south of Kilkenny, Tipperary, and Limerick counties. Southward from these, the west of the

county of Cork and the county of Kerry are occupied by a series of hills of moderate elevation toward the west, but which in the south and west of Kerry swell into precipitous and sterile ridges. From the north of Galway Bay, the mountains of Connemara stretch to the strip of low land which connects the plain of Mayo with the head of Clew Bay, from the north of which extends a wild and hilly country through the counties of Mayo and Sligo, almost to the borders of Donegal. A similar district occupies the county of Donegal, and parts of the counties of Derry and Tyrone. To the south of the counties of Down and Armagh are the Mourne Mountains and Slieve Gallion.

The central plain is divided from north to south by the chain of lakes and marshes through which the Shannon flows; in other directions, by the line of lakes extending from Mullingar almost to Lough Erne, by Lough Neagh and the River Bann, and by the great tracts of bog extending through the King's County, Longford, Westmeath, and Kildare.

From the above remarks it will appear that the coast from Dublin to Dundalk on the east, and Galway on the west, are the only two available points by which invaders can assail the central districts of Ireland; but that, when advancing from either of these seaboards into the interior, they must leave behind them inaccessible mountain tracts, from which their rear may be threatened; and their advance would be checked by the course of the Shannon, the lake districts, and the tracts of bog. There is no one portion of Ireland, except the inconsiderable districts lying outside the mountain chains, which could be completely conquered and securely occupied. At the same time, an army occupying either Dublin or Galway could prevent

the natives permanently making head in any portion of the central plain. Its natural conformation, prior to the modern inventions facilitating the movement of troops, rendered Ireland difficult to defend, and impossible to occupy.

The political condition of the people, which we before noticed, checked the accumulation of capital, and prevented the population being gathered into cities. These results of the political condition were aggravated by the climate, unfavourable to cereal agriculture, and pre-eminently adapted for pasturage. The moistness of the climate, in the absence of good roads, rendered it most difficult to move bodies of heavily equipped men across the country. It must also be remembered that in the twelfth century large districts, now absolutely treeless, were dense forests, and that there is reason to believe the annual rainfall was then much greater than at present.

We now proceed to the important consideration why the Normans failed (as we shall show hereafter they did) to completely conquer and occupy the country.

If we confined our attention to the events which took place in Ireland alone, we should experience some difficulty in discovering the causes of this failure. The first step towards ascertaining the causes of this want of success in Ireland should be to inquire why they met with such remarkable success elsewhere. We can thus ascertain what were the peculiar difficulties which they encountered in Ireland.

Four great conquests or colonizations (among others) were accomplished by feudal invaders in mediæval Europe, all of which, though originally attended by great suffering, were generally advantageous to both, and always to one or other of the conquerors or conquered. These four

instances are as follows :—First, the organized conquest of England by William of Normandy; secondly, the occupation of Southern Scotland by Normans and Saxons; thirdly, the conquest of Naples by the Normans; and, fourthly, the conquest of Prussia by the Teutonic knights.

England, when assailed by William of Normandy, might have been expected to offer a fierce and prolonged resistance. The government was centralized in the hands of a man of high ability, and the landed estates of the country were held either by members of the royal family or by great noblemen, whose position and existence were at stake in the national struggle. Yet these were the very causes which enabled William to achieve a rapid and complete success. With the natural desire of checking the invasion at its outset, Harold risked and lost his throne and life in the battle of Senlac. Upon the death of the king, the previous concentration of the government, and even the great abilities of the fallen prince, whom there could be found none to replace, paralyzed the national resistance; and William ascended, almost unopposed, the vacant throne. The great landowners and official governors of shires were expelled, and Normans substituted in their place; whereupon, without any immediate social change or shock to the national feelings, matters went on much as they had done before. The causes of William's success may be thus summed up :—A concentrated national sovereignty, large private landed estates, and the government of extensive districts by high officials who possessed no special local ties.

Almost contemporaneously with the conquest of England, southern Scotland was flooded by Saxon exiles and Norman adventurers. Within a short period the government of Scotland, which had been Celtic, was transformed into Norman, and the original inhabitants driven back into the

Northern Highlands or the wilds of Galloway. The eastern half of the Lowlands had formed portion of the Northumbrian-Saxon kingdom, but the western half was still inhabited by Celts, and the government was thoroughly Celtic. The Norman and Saxon strangers gradually occupied all the Lowlands up to the foot of the mountains, introduced the feudal system, and modelled the government after the pattern of England. After a short struggle, the native Celts were penned up in the mountains, and never after materially affected the history of the country. Why did not the Norman and Saxon adventurers meet the same difficulties in Scotland as their compatriots in Ireland? Because they occupied a specific district of moderate extent, and having an easily defensible frontier.

The Normans who conquered Naples were few in number, and far removed from their original seats. They could expect no succour, and had to rely altogether upon themselves. Any Norman who established himself in Italy bade farewell to home and kindred for ever. In this we may discern the cause of their success. They threw in their fortunes with the land of their adoption. They did not attempt to form a Norman nation in Italy, but made themselves Italians, and, if of foreign extraction, acted as a native aristocracy.

The Germans found in the Sclaves more dangerous enemies than did the Normans in the Irish. Their resistance was protracted; they were not merely obstinate, but aggressive—so much so, that the feudal system was utterly inadequate to check them. For this purpose the order of the Teutonic knights was instituted, which formed in itself a permanent and organized army. Step by step, and by many dearly-bought victories, the Sclaves were driven backward, but the ground once won by the Teutonic Order

was never left unoccupied. A constant stream of German colonists occupied the freshly-acquired territory, castles and cathedral towns rose upon the battle fields, and every district lost by the Slavonians was lost by them for ever. The success of the Teutonic knights arose from the possession of a standing army, and the rapidity with which the conquered lands were absorbed into the unbroken mass of the German Empire.

In Ireland none of these causes of success existed; rather the opposite. There was no powerful Celtic king who dared to fight on equal terms with the Norman invaders, and whose throne Henry II. might have ascended. There was no great nobility depending on the Crown, whose estates could be confiscated, and handed over to Norman adventurers. There were no definite portions of the island divided by a defensible frontier, which could be respectively occupied by the invaders and natives. The Norman nobles who settled in Ireland still held demesnes in France and England, and, confident in the support of the English Crown, sought at first rather to oppress the native Celts than to become their leaders. The Government possessed no standing force; and when by some spasmodic effort it drove back the Celtic population, the Irish Channel, at once too narrow and too broad, checked the influx of Saxon colonists.

LECTURE V.

THE CONQUEST OF IRELAND BY THE NORMANS.

THE best introduction to this Lecture is found in the opening paragraphs of the well-known tract—viz., “A Discovery of the True Causes why Ireland was never entirely subdued :”—

“ During the time of my service in Ireland (which began in the first yeaire of his Majesties raigne), I have visited all the Provinces of that Kingdome in sundry Journies and circuits; wherein I have observed the good Temperature of the Ayre; the Fruitfulness of the Soyle; the pleasant and commodious seats for habitation; the safe and large Ports and Havens lying open for Traficke into all the West parts of the world; the long Inlets of many Navigable Rivers, and so many great Lakes and fresh Ponds within the land (as the like are not to be seene in any part of Europe); the rich Fishings and Wild Fowls of all kinds; and lastly, the bodies and minds of the people, endued with extraordinarie abilities of nature.

“ The observation whereof hath bred in me some curiositie to consider what were the true causes why the Kingdome whereof our Kings of England have borne the title of Sovereign Lords for the space of four hundred and odde years (a period of time wherein divers great Monarchies have risen from Barbarism to Civilitie, and fallen againe to ruine), was not in all that space of time thoroughly sub-

dued and reduced to obedience of the Crowne of England, although there hath been almost a continuall warre between the English and the Irish ; and why the manners of the mere Irish are so little altered since the days of King Henry the Second, as appeareth by the description made by Giraldus Cambrensis (who lived and wrote in that time), albeit there have been since that time so many English Colonies planted in Ireland, as that if the people were numbered at this day by the Poll, such as are descended of English race would be found more in number than the ancient Natives.

“ And truly, upon consideration of the conduct and passage of affairs in former times, I find that the state of England ought to be cleared of an imputation which a vulgar error hath cast upon it in one point—namely, That Ireland long since might have been subdued and reduced to Civility, if some Statesmen in policy had not thought it more fit to continue that Realme in Barbarisme. Doubtless this vulgar opinion (or report) hath no true ground, but did first arise either out of ignorance or out of malice. For it will appeare by that which shall hereafter be laide downe in this discourse, that ever since our Nation had any footing in this land, the State of England did earnestly desire and did accordingly endeavor, from time to time, to perfect the conquest of this kingdom, but that in every age there were found such impediments and defects in both Realmes as caused almost an impossibility that things should have bin otherwise than they were.

“ The defects which hindered the Perfection of the Conquest of Ireland were of two kinds, and consisted first in the faint prosecution of the warre, and next in the loosenesse of the civill government. For the Husbandman must first break the Land before it be made capable of good seede ; and when it is thoroughly broken and manured, if

he do not forthwith cast good seed into it, it will grow wilde againe and beare nothing but weeds. So a barbarous country must be first broken by a warre, before it will be capable of good government; and when it is fully subdued and conquered, if it be not well planted and governed after the conquest, it will eftsoones return to the former Barbarism.

“ Touching the carriage of the Martiall Affaires from the 17th yeare of King Henry the Second, when the first overture was made for the conquest of Ireland (I meane the first after the Norman conquest of England), until the nine and thirtieth yeare of Queene Elizabeth, when that Royal Army was sent over to suppresse Tirones Rebellion, which made in the end an universall and absolute conquest of all the Irishrie; it is most certaine that the English forces sent hither, or raised heere from time to time, were ever too weake to subdue and master so many warlike nations (or septs) of the Irish, as did possesse this Island; and, besides their weaknesses, they were ill paide and worse governed. And if at any time there came over an army of competent strength and prower, it did rather terrifie than breake and subdue this people, being ever broken and dissolved by some one accident or other before the perfection of the conquest.

“ For that, I call a perfect conquest of a country, which doth reduce all the people thereof to the condition of subjects, and those I call subjects which are governed by the ordinary Laws and Magistrates, and Sovereigne. For though the Prince doth beare the title of Sovereign Lord of an entire country (as our King did of all Ireland), yet, if there be two-third parts of the country wherein he cannot punish treason, murders, or thefts, unless he send an army to do it, if the jurisdiction of his ordinary Courts

of Justice doth not extend into those parts to protect the people from wrong and oppression, if he have no certain Revenues or no Escheats or forfeitures out of the same, I cannot justly say that such a country is wholly conquered."

Sir John Davis, the most able statesman sent over to Ireland in the 17th century, was the author of this passage, which is cited, not as giving a complete explanation of the difficulty, but to show that every historian who has fairly examined the question must admit that the common phrase repeated by English historians, "conquest of Ireland in the 12th century," is an utter misnomer.

The actual details of a conquest are seldom instructive. When a flooded river has burst through the dikes too weak to resist it, it is waste of time to calculate at what point the water first broke in. At innumerable points the barrier was ready to yield. Of all the weak spots, which was the weakest is very immaterial.

Great national movements do not spring from trivial accidents; they result from causes linked together, in an endless chain, far beyond our knowledge, and form in themselves successive links, in the endless series of events. Superficial thinkers, when they discover in some miserable crime or intrigue the immediate antecedent, imagine they have described *the* cause, and blankly wondering at the mysteries of Providence, teach us that great events from trivial causes spring.

The excuses for the invasion of Ireland are of the vilest. Let an Irishman read the story of the conquest of South Wales by the fathers of the invaders of Ireland; if he change the names the story is told of ourselves. It is not, therefore, without a special reason that on this occasion I shall go at some detail into the first invasion of Ireland;

I do so because in that event the contradiction between Norman and Celtic ideas, both social and religious, comes out with peculiar vividness, and there are there foreshadowed the numerous perplexities which have since embarrassed the English government.

Dermot MacMurrough, the elective chief of the dominant tribe in Leinster, and as such king of that province, had been expelled from his chieftainry; he is universally described as violent, overbearing, and ferocious; he was banished by his own tribe, probably in full accordance with Celtic law, as an unjust king; for we must reject the legend of Dervorgil as inconsistent with well known dates.

Dermot could claim his crown neither by sacred unction nor hereditary right, yet, when driven from Ireland, comported himself in the usual fashion of royal fugitives or pretenders. He made his way to Aquitaine, to obtain assistance from Henry II., willing to make any promise or sacrifice to secure his restoration. Henry II. was then unable personally to enter upon the adventure, the time was not propitious, and he had already enough elsewhere upon his hands; at the same time he was anxious not to lose so fair an opportunity of invading Ireland—a project which he had previously contemplated—and, from the necessities of Dermot, he could obtain promises without immediate payment for them. He gave letters to Dermot, authorizing him to recruit adventurers within his English and Continental dominions; in return for this recommendation, Dermot did homage, and took an oath of fealty. The transaction is so curious, that the parties themselves could scarcely have understood the effects of the engagement. Did Dermot, an exiled chief, who never had possessed any land in Ireland, save in virtue of the office from which he had been deposed—who possessed no right of jurisdiction over his

tribe, save by their consent and election—who was not a king either by religious sanction or hereditary right—who had not then adherents nor a footing in Ireland—did he swear to hold all the lands of his own and the subject tribes as a vassal of the English king, upon the terms of feudal tenure? Did Henry II. know the royal position of Dermot when he received this illusory homage, or did he simply receive his personal fealty in hope thereby on some subsequent occasion to gain an excuse for interference in Ireland? The form of the letter given to Dermot, and the subsequent homage by Strongbow, would lead to the supposition that Dermot merely engaged himself as the king's man without reference to any specific territory. The celebrated letter ran thus:—“Henry, King of England, &c., &c. Whosoever these our letters shall come unto you, know ye that we have received Dermotius, prince of Leinster, into our grace and favour; wherefore, whosoever within the bounds of our territories shall be willing to give him aid as our vassal and liegeman in recovering his territories, be assured of our favour and licence in that behalf.” Armed with this letter, Dermot fixed himself in Bristol, striving to raise recruits, but at first with little success. He shortly after fell in with an adventurer exactly suited to his purpose.

Not far from Bristol stands the castle of Chepstow; four miles thence on the old high road to Abergavenny once stood the castle of Strigul, where resided Robert de Clare, better known as Strongbow. The great family of De Clare, descendants of Godfrey, an illegitimate son of Richard I. of Normandy, were originally Counts of Brionne, which fief they had exchanged for Tunbridge in England. Gilbert de Clare, the father of Richard, had, under licence of Henry I., made extensive conquests in South

Wales, and had been created Earl of Pembroke in 1138. The De Clares had been hitherto unfortunate in politics, being generally found upon the losing side ; as a natural consequence of which the Earl Richard had been stripped of his inheritance by Henry II. Such a man was admirably fitted for the purposes of Dermot ; of broken fortune, he was willing to enter upon any adventure however desperate ; his high birth and admitted abilities enabled him to gather adventurers around him, and his father's memory lent him the prestige of successful conquest.

The King and Earl soon came to an arrangement ; the terms of which are remarkable, viz., that in the ensuing spring the Earl should lend his aid for the recovery of Dermot's kingdom, upon the condition of obtaining the hand of the king's only daughter and the succession to his kingdom. The succession to the kingdom of Leinster was to pass to the husband of Dermot's only daughter : this arrangement, perfectly reasonable and legal as applied to a feudal fief, was unintelligible when made with reference to a kingdom in Ireland. Dermot had no kingdom in Ireland : even were he still in possession of the throne of Leinster, he would have held it merely for his own life, without any pretension to transmit it to his issue. Here we have the first instance of the conflict of the Norman and Irish land laws ; all the tribe and tribal property of Leinster were to pass through a woman to a foreigner, as if they had been landed estate in England. Strongbow must have entered into this agreement in perfect ignorance of the Celtic customs, for he met with but enemies where he expected to find vassals, and the promise of Dermot gave him no possible claim to the kingdom. The Irish king was of course willing to make any contract ; he cared for nothing but to induce Strongbow to cross the

Channel, leaving it to him to assert his illusory claims as best he might.

In this transaction is foreshadowed the dealings of the English government with the Irish people for more than four centuries. Through the same confusion between the office of the chief and the ownership of the lands, James confiscated the estates of Tyrconnel and O'Neill upon their attainder, treated the occupiers of the lands, who were not even charged with being privy to the alleged treason of their lords, as not possessing any estate in the lands, asserted them to be mere tenants at will, and capable of being expelled from their homes at the pleasure of the Crown, which, by the felony of the “landlord,” had resumed the fee, and thus cleared the northern counties for the plantation of Ulster.

Dermot, after this arrangement, proceeded to St. David's, where he met the knight, who was the real leader of the invasion of Ireland. As he and his connexion formed the mass of the original adventurers, so long the surest support of the Norman colony, and the objects of suspicion and fear of the English government, I must here explain his origin and antecedents.

Nesta, the daughter of Rhys-ap-Tudor, prince of South Wales, and sister of his son and successor, Griffith-ap-Rhys, was originally the mistress of Henry I., and subsequently married—firstly, Gerald de Windsor; and secondly, Stephen the Castellan of Abertivy. She had thus three distinct families, the members of which almost all embarked in the Irish speculation, and are described by Giraldus Cambrensis as the Giraldines—a name subsequently restricted to a single branch. Her descendants, who took part in the invasion, were as follows:—Three grandsons of the first family, Meyler, Robert, and Henry Fitzhenry; of the second fa-

mily, Richard and Milo do Cogan, Gerald the historian, Philip and Robert de Barri, Alexander, Gerald, and William Fitzgerald, Raymond le Gros, and Henry de Montmaurice, who had married Nesta, a sister of the Fitzgeralds; and of the third family, Robert Fitzstephen. This Robert Fitzstephen had been made prisoner by the Welsh prince, his uncle, Rhys-ap-Tudor, and after long imprisonment had agreed to abjure his fealty to the English king, and to join the Welsh.

When pressed to fulfil his promise, Fitzstephen hesitated. If he refused, he had to fear renewed imprisonment at the hands of his uncle; if he fulfilled his undertaking, he had to dread the vengeance of the English king, his former master. An alliance with Dermot, and an expedition to Ireland, would free him from his difficulties; and in this he was assisted by the friendly intervention of the Bishop of St. Davids.

The terms of his arrangement with Dermot were, that he and his cousin, Maurice Fitzgerald, who had joined in the adventure, should assist Dermot in recovering his territory, and receive, as the consideration for so doing, the town of Wexford and a district adjoining, to be held in fee. When it is remembered that the town of Wexford and the surrounding territory were in the possession of a Danish colony, Dermot appears to have made a very cheap bargain with his allies. At the same time, it shows how deeply the Normans were impressed with the idea that a king could allot to his vassals any portion of his kingdom, and deal with it as a private estate. They probably believed the town of Wexford to be one of those feeble municipalities which, in England and elsewhere, afforded to the dominant lord a source of revenue arising from exactions levied or privileges bestowed.

Through Robert Fitzstephen and Maurice Fitzgerald, almost all the descendants of Nesta were drawn into the speculation. They do not appear to have been subordinate to or acting in conjunction with Richard de Clare; and from their descent (which was half Welsh) could have felt but small loyalty to the Norman king. This mixture of blood seems to have been indicated by the coat armour of Fitzstephen, which bore the well-known saltier cross of the Geraldines, half of the shield being red, half ermine, and the arms of the cross of the same colour as the opposite half of the ground.

About the 1st of May, A. D. 1170, Fitzstephen landed near Wexford, and on the next day Maurice de Prendergast, apparently an independent adventurer; with their united forces, probably amounting to about 600 men, they advanced against Wexford. The Danish inhabitants, who, as Giraldus remarks, "had been previously independent," advanced against them; but, alarmed by the unusual appearance of heavily-armed horse, retreated to the town, and, after some resistance, submitted to Dermot, who had joined his allies. Whereupon Dermot, "the more to animate the courage of his adherents," granted the town, with the whole territory appertaining thereto, to Fitzstephen and Maurice, according to the stipulation of the original treaty. He also conferred on Henry of Montmaurice (who had accompanied his relations) two cantreds lying between Wexford and Waterford, "to hold to him and his heirs for ever." There cannot be conceived a more extraordinary confusion of law and right than this transaction. The tribal chief of the Celts of Leinster confers upon two half-Norman half-Welsh knights the town and district then occupied by a Danish population, to hold to them and their heirs for ever, as vassals to him and his heirs—whatsoever that might mean. But in this

case, as in many others, legal complexities were easily cut through with the sword.

The establishment of the Normans in Wexford as allies of Dermot soon drew the attention of Roderic O'Connor, the then king of Ireland, who, having convoked his chiefs, resolved to make war on Dermot. The latter, alarmed at the threatened storm, made peace upon the terms that all Leinster should be left under his dominion, and that he in his turn should submit to Roderic as chief king, paying the usual homage and service. It was secretly agreed between them that no more foreigners should be brought over, and that those then in Ireland should be sent back upon the first opportunity. But the current of adventurers once set in motion could not thus be checked. Maurice Fitzgerald, Raymond le Gros, and at length the Earl Richard himself, successively arrived (23rd August, 1171). The first exploit of the two latter was the conquest of Waterford; where, shortly afterwards, Richard de Clare married Eva, the daughter of Dermot. Thus a large force of Normans was gradually established in Ireland, under the command of a chief claiming the succession to the crown of Leinster by a right utterly repugnant to all Celtic law and tradition, and which could only be established by an enforced change in the ideas and customs of the natives, their subjection to the condition of serfs, or their expulsion from the districts. Dermot, who had hoped to use the foreigners as his tools, became a puppet in their hands, and accompanied, rather than conducted, them in their expedition against Dublin, which was captured by a treacherous surprise—the Danish king and the majority of his followers taking to the sea in their galleys.

The whole Celtic population was filled with alarm by these events, and the clergy assembled at Armagh to search

into their sins. The results of this synod are thus described by Giraldus :—

“ It was unanimously resolved that it appeared to the synod that the Divine vengeance had brought upon them this severe judgment for the sins of the people, and especially for this, that they had long been wont to purchase natives of England, as well from traders as from robbers and pirates, and to reduce them to slavery ; and that now they also, by reciprocal justice, were reduced to servitude by that very nation. It was, therefore, publicly decreed by the before-mentioned synod, and publicly proclaimed by universal accord, that all Englishmen throughout the island who were in a state of bondage should be restored to freedom.”

This decree of the Synod of Armagh has been a favourite subject for commendation by Irish writers ; but, rightly considered, it is the clearest proof that the state of the Celtic people was beyond all hope of self-amendment. It was the want of law, order, and justice, the absence of self-knowledge and self-control—not the possession of some English slaves—which had paralyzed their national action, and reduced the power of the chief king to insignificance. The ruined prodigal, when looking back upon the sad history of a blighted career, instead of realizing the great failure of his life, flatters himself that some particular sin or accident was the origin of all his sufferings. At the crisis of their fate, the Celtic nation, as represented by their Church, could not realize that the insubordination of the chiefs, the incapacity or powerlessness of their kings, their perpetual civil wars, and their utter political disorganization, were the true causes which rendered the foreigners so formidable. When Israel repented of its sin and idolatry, such repentance was manifested by a return to their

ancient law, and by discipline and obedience to their judge or king ; but the Irish people, foredoomed to destruction, thought that they might still continue in their political sins, and at the same time bribe Heaven to interpose in their behalf, by making restitution for one venial among many grievous errors.

If the native Irish were beset by alarm and perplexity, both Henry II. and the first adventurers were suffering equal alarm. Henry II. had not foreseen the extent to which his recommendatory letters would have been acted upon by adventurers from England. He may have anticipated that Dermot would have failed to gather the requisite number of recruits, or that if he had secured some assistance, it would have been sufficient merely to keep the Irish question open, and to leave an opportunity for the English king to interfere with imposing power ; but he now saw a powerful and successful army in possession of Leinster, and occupying the chief maritime cities of the island. This independent force was under the control of two leaders of doubtful fidelity—De Clare, who had been stripped of most of his English estates, and Fitzstephen, who had agreed with Rhys-ap-Tudor to join the Welsh against the English. The establishment of an independent Norman state in Ireland would have been a disastrous event for an English king. Celtic Ireland, if independent, was not aggressive, and, as incapable of defence, had been marked for conquest ; but a Norman state in Ireland, under the rule of the De Clares or Fitzgeralds, might have been as great a difficulty to England as Scotland afterwards proved to be. Henry, therefore, dreaded beyond anything lest Strongbow and Fitzstephen should succeed, and at once proceeded to check their further progress, by cutting off their supplies and recalling such of their followers as would

still obey him. Here we observe the first instance of the policy so often adopted by the English Government toward the Anglo-Norman colonists, who, though put forward by England to conquer Ireland at their own cost, for the benefit of the English Crown, were invariably more suspected, and frequently worse treated by England than the native inhabitants themselves.

The Earl Richard himself, threatened on the one hand by Roderic O'Connor and the entire Celtic population (for Dermot had lately died), and having his supplies from England cut off, was filled with equal apprehensions; and, as the only means of escaping from his difficulties, resolved to submit to the king and to hold the kingdom of Leinster as his vassal. He despatched the following letter to the king:—"My lord and king. It was with your licence, as I understood, that I came over to Ireland, for the purpose of aiding your faithful vassal Dermot in the recovery of his territories. Whatsoever land, therefore, I have had the good fortune to acquire in this country, either in right of his patrimony or from any any other person, I consider to be owing to your gracious favour, and I shall hold them at your free disposal." The offer made in this letter by the earl to the king shows distinctly the position which he had previously imagined himself to occupy. To this letter no answer was returned; and the king pushed forward very large preparations for the invasion of Ireland.

Meanwhile the storm broke upon the Normans with even greater fury than had been anticipated: not only were they assailed by the natives under the chief king, Roderic, but also by a more formidable enemy, the Danes, previously expelled from Dublin, who returned to regain their native city with the aid of their countrymen of the Western Isles. "About the feast of Whitsuntide, Hasculf, who had been

king of Dublin, with sixty ships' full of Norse and Islesmen, sailed into the Liffey. Landing from their ships in all haste, they sat down before the east gate of the city and prepared to assault it. They were under the command of John the Mad (probably a Berserker), and were all warriors armed after the Danish fashion, some having long breast-plates, and others shirts of mail ; their shields were round, and red, bound about with iron. Iron-hearted were they as well as iron clad. Milo de Cogan, the governor of the city, boldly marched out to attack them, though with unequal force. But not being able with inferior numbers to withstand the enemy's attack, he was compelled to retire within the gate. At length Richard de Cogan, sallying unobserved from the eastern postern, fell on the enemies' rear ; by which unexpected attack they were thrown into confusion, and being quickly routed, took to flight."

Hasulf, the last Danish king of Dublin, was captured upon the stand, and was beheaded in consequence of some rash and arrogant expressions which he used. Thus for ever perished the Danish power in Ireland, and the remaining Danish inhabitants acquiesced in the Norman rule, and so thoroughly did they ally themselves to the Norman as against the Celt, that in A. D., 1174, upon a defeat near Thurles of the Dublin levies, which had advanced towards Cashel to form a junction with Earl Richard and Raymond le Gros, who were lying there, upwards of 400 Ostmen were counted among the slain.

Scarcely had the Normans escaped this danger, when they were assailed by Roderic O'Connor and the united force of the native Irish, while Godred, king of Man, with his fleet, blockaded the port.

The Norman leaders, evidently ignorant how inefficient large bodies of ill-disciplined footmen prove when exposed

to cavalry in the open field, remained within their fortifications until their provisions failed them, whence they issued at last with the intention of staking their fortune upon a desperate venture. Before the onset of heavily armed horse, the host of the besiegers broke up in confusion; King Roderic barely escaped with his life. This feeble and ill-conducted expedition proved to be the only national effort made by the Irish under an Irish king to expel the foreigners from their land. “On the morrow the English, leaving a garrison in the city, unfurled their standards, and, flushed with victory, marched by the upper road through Odrone towards Wexford.”

In spite of the King of England, with their supplies cut off, and abandoned by their countrymen, they, unaided, had defeated alike the Norse and the Celts; there remained no organized power to resist them, and Earl Richard may have now seen the sovereignty of Ireland within his grasp. But if they entertained these hopes, they were soon disappointed; at Waterford the Earl received letters from the King inviting him to come over to England, and he was at the same time, doubtless, informed of the powerful armament assembled by the King and ready to cross over the channel. The Earl proceeded to Gloucester, where he met the King: what occurred is thus related by Gerald: “While there he succeeded, after much altercation, by the address and mediation of Hervey, in appeasing the King’s displeasure.” The letter sent by the Earl to the King is inconsistent with the story that the Earl had disobeyed the King’s orders by embarking for Ireland; he does not there excuse any disobedience on his part, but boldly relies upon the licence given by the King to his subjects to assist King Dermot. The King was displeased with him because he had done too much—because he had forestalled him in what must have

seemed the conquest of Ireland—because he had almost become an independent prince. The King was determined to bind him in the strictest bonds of feudal obligations, and to check his power and lower his position, by depriving him of Dublin, even then considered as the capital of the island, together with the surrounding district. The Earl made his peace with the King upon the terms of renewing his oath of fealty, surrendering to him Dublin and the adjacent cantred, with the towns on the sea coast and all the fortresses; and submitting to hold the rest of his conquests to him and his heirs of the King and his heirs.

That the King's anger against the Earl Richard did not arise from any special act of disobedience of which he had been guilty, appears from his conduct to Fitzstephen, who certainly had not been desired to abstain from the enterprise—"While the King was resting at Waterford, the men of Wexford, to court his favour, brought to him in fetters their prisoner Fitzstephen" (who had been taken prisoner shortly before, according to the Welsh historian, under circumstances of gross treachery), "excusing themselves because he had been the first to invade Ireland without the royal licence, and had set others a bad example. The King having loudly rated him, and threatened him with his indignation for his rash enterprise, at last sent him back loaded with fetters, and chained to another prisoner, to be kept in safe custody in Reginald's tower."

The King landed at Waterford on the 18th of October, 1172; he had with him a large and carefully equipped force, more than sufficient to overbear any resistance in the open field; but he neither had the means nor the time to enter upon a protracted campaign, such as the complete conquest of the island required.

He had already sufficiently curtailed the power of the

first adventurers, reduced them to the position of feudal vassals, and secured the possession of Dublin and the principal seaports; but as he could not maintain a standing force in Ireland, it was his interest to support the first adventurers in their estates, as they constituted an unpaid and permanent garrison available against the natives. Towards the original inhabitants his policy was equally obvious: to crush them down by means of the army, which he had brought over, would have proved advantageous to the first settlers only; the Celtic population might prove useful as a counterpoise to the Earl Richard and Fitzstephen; they might be induced to enter into feudal obligations, which, though for the time being unfruitful and even unmeaning, could afford an excuse for any subsequent interference: thus the Normans and Irish, both brought within the jurisdiction of the English Crown, might be set off against each other, and on fit occasion the King could intervene, to his own profit, as their supreme lord and final arbitrator.

The Irish chiefs themselves were doubtless impressed by the display of power made by the English King; they were as yet ignorant how deceptive was this outward show, and how useless in a country such as theirs was a feudal Norman army. They had been lately shamefully defeated before Dublin by the comparatively small force of the Earl Richard; their fears were rather directed to the first adventurers, who had come over to win, with the strong hand, estates in the islands, than towards the King, who represented himself to them as resolved sternly to repress the lawlessness of the Earl and Fitzstephen; thus in the King they may have hoped to find the only enemy whose force was irresistible, and the only available protector against further aggression.

It is not to be wondered at if, under these circumstances,

the various tribal chiefs, first those adjoining Waterford, subsequently almost all throughout the island, repaired to the English camp and made their submission, which was gladly received by the King, with whose policy it coincided, and who was desirous to leave Ireland as soon as possible. The English army, after a royal progress rather than an hostile invasion, through part of Munster and Leinster, arrived at Dublin, where the Irish chiefs were hospitably received with a splendour calculated at once to win their good will and increase their estimate of the wealth and power of the English King.

The only exception to this ostensibly lenient conduct of the King towards the Irish chiefs was the grant of Meath to De Lacy, but this, the appanage of the chief King of Ireland, may have been naturally considered by Henry as a portion of the royal demesne, and O'Rorke, who was then in possession—how and why we are ignorant—treated as an intruder.

The submission of each chief included the act of homage, by which he undertook to hold the territory which he ruled, as a vassal of the Crown of England, and the general form of such arrangements may be gathered from the final treaty between Henry and Roderic O'Connor, as preserved by Roger of Hoveden:—“The King of England grants to the above named Roderic, his liegeman, the kingdom of Connaught, so long as he shall faithfully serve him, so as to be king thereof under him, and ready to do him service as his liegeman: that he shall hold his lands as well and peaceably as he held the same before our lord the King of England entered Ireland, always paying him tribute, and that he shall hold all the rest of that land, and the inhabitants of that land, in subjection to himself, and shall execute justice over them in such way that they shall pay

full tribute to the King of England, and by his hand preserve their rights. And those who now hold lands are to hold the same in peace so long as they shall observe their fealty to the King of England, and fully and faithfully render him tribute and his other rights, which they owe to him, by the hand of the King of Connaught, having in all things the rights and honour of our lord the King of England and himself. And if any of them shall become rebels against the King of England and himself, and shall be unwilling by his hand to render tribute and his other rights unto the King of England, and shall withdraw from their fealty to the King, he shall take judicial cognizance thereof, and remove them therefrom; and if of himself he shall not be able to carry out his sentence against them, the constable of the King of England and his household in that land shall aid him in so doing when they shall have been called upon by him, and it shall to them seem that it be necessary to do so. And by reason of this treaty the aforesaid King of Connaught shall render tribute each year to our lord the King, that is to say, for every ten animals one skin such as may be approved of by dealers, both from the whole of his own lands, as also from those of others," &c., &c. This document, whether authentic or not, gives a fair idea of the relation in which the English believed the Irish chiefs, who had submitted, to stand towards the English crown.

Although the policy first adopted by Henry II. was subsequently abandoned by him, it was resumed by the English Government at a later period, and the document which has been just cited exhibits in a clear light the relative positions of the parties.

As to the effect of such an arrangement, it is to be observed—firstly, it is not, either in form or substance, a treaty between the English King and the Celtic chief on

behalf of his clan, but a grant by the King, as absolute owner of all ungranted land, of the district comprised in the grant to the Irish chief as a private individual; secondly, the line of succession in which the estate is to pass would be determined by the principles of feudal law; thirdly, though establishing a feudal relation between the crown and the grantee, it does not determine the rights of the grantee over the inhabitants of the district, but assumes that he, and those claiming through him, will possess a certain indefinite executive and judicial power; and lastly, it is made without any reference to the assent or legal rights of the native inhabitants.

Insuperable difficulties naturally arose from such arrangements; the grantee stood towards the Crown in the position of a feudal vassal, but according to what law were questions arising between him and the inhabitants to be decided. Upon the death of the grantee, the inherent vices of the transaction were at once developed. Who was to succeed the deceased grantee? Had he taken the grant for his personal benefit or as a trustee for the tribe, of which he was merely the elected chief? Was his heir, according to feudal law, to possess the position of hereditary chief? Could the English crown change what was a tribal office into an hereditary jurisdiction, and entail on the descendants of its grantee the powers of a native chieftain? or was the subsequently elected chief to occupy the position of a feudal vassal? or could there possibly co-exist in the same district the heir of the grantee possessing the property of the land and the consequences, which, under the English law, flowed from the fact of ownership, and also the tribal chief elected by the people, and acting according to the Brehon Law? These difficulties at a subsequent period embarrassed the Tudor government as poli-

tical questions, and at last, in the reign of James I., were referred to the law courts, where, in the celebrated Tannistry case, all rights arising from Irish law were finally abolished.

No contract can be carried out to which parties, respectively, attach different meanings. Henry II. may have believed that he acquired an absolute right of supremacy over the Irish chiefs, but the Irish chiefs themselves submitted to him as to any Irish chief king of that period for the time being, because his force seemed irresistible, and only for so long as he was capable of compelling obedience. When the English king withdrew, the obligation on the part of the Irish chiefs to admit his supremacy *de facto* ceased. They might have cited the principle of English law *cessante ratione, cessat lex*.

Henry II. further relied upon the assistance of the Church. He put himself forward as the champion of the Roman hierarchy in opposition to the Celtic form of ecclesiastical government. For this purpose he had obtained a Papal Bull either shortly before or at the date of his expedition, of the following tenor :—

*“ Adrian the bishop, the servant of the servants of God, to his most dearly beloved son in Christ, the illustrious King of England, sendeth greeting, with the apostolical benediction.**

“ Your Majesty (*tua magnificentia*) laudably and profitably considers how you may best promote your glory on

* Adrian IV. held the Papal See 1155-1159. A copy of the grant of Ireland made by this Pope to Henry II. is also preserved by Roger de Wendover, who says that it was obtained in 1155: so that Henry's designs on Ireland, though early entertained, seem to have long slumbered. Henry procured a confirmation of Pope Adrian's grant from his successor, Alexander III. There is a translation of it in Hooker's edition of the History of Giraldus. The grant appears to have been made in 1172.

earth, and lay up for yourself an eternal reward in heaven, when, as becomes a Catholic prince, you labour to extend the borders of the Church, to teach the truths of the Christian faith to a rude and unlettered people, and to root out the weeds of wickedness from the field of the Lord ; for this purpose you crave the advice and assistance of the Apostolic See, and in so doing, we are persuaded that the higher are your aims, and the more discreet your proceedings, the greater, under God, will be your success. For those who begin with zeal for the faith, and love for religion, may always have the best hopes of bringing their undertakings to a prosperous end. It is beyond all doubt, as your highness acknowledgeth, that Ireland and all the other islands on which the light of the gospel of Christ has dawned, and which have received the knowledge of the Christian faith, do of right belong and appertain to St. Peter and the holy Roman Church. Wherefore we are the more desirous to sow in them the acceptable seed of God's word, because we know that it will be strictly required of us hereafter. You have signified to us, our well-beloved son in Christ, that you propose to enter the island of Ireland in order to subdue the people, and make them obedient to laws, and to root out from among the weeds of sin ; and that you are willing to yield and pay yearly from every house the pension of one penny to St. Peter, and to keep and preserve the rights of the churches in that land whole and inviolate. We therefore, regarding your pious and laudable design with due favour, and graciously as senting to your petition, do hereby declare our will and pleasure, that, for the purpose of enlarging the borders of the Church, setting bounds to the progress of wickedness, reforming evil manners, planting virtue, and increasing the Christian religion, you do enter and take possession of that

island, and execute therein whatsoever shall be for God's honour and the welfare of the same. And further, we do also strictly charge and require that the people of that land shall accept you with all honour, and dutifully obey you, as their liege lord, saving only the rights of the churches, which we will have inviolably preserved ; and reserving to St. Peter and the holy Roman Church the yearly pension of one penny from each house. If therefore you bring your purpose to good effect, let it be your study to improve the habits of that people, and take such orders by yourself, or by others whom you shall think fitting, for their lives, manners, and conversation, that the Church there may be adorned by them, the Christian faith be planted and increased, and all that concerns the honour of God and the salvation of souls be ordered by you in like manner ; so that you may receive at God's hands the blessed reward of everlasting life, and may obtain on earth a glorious name in ages to come."

The existence of this document has been a stumbling-block to Irish Catholic writers. They cannot understand how a Pope could have granted to an English king sovereign powers over the faithful and Catholic people. It must be remembered, however, that Henry II. professed to act in the interest of the Papacy, and that such an exercise of Papal power was not unusual. It resembles the grants made by Popes to the Spanish and Portuguese Governments, and is not as extraordinary as the Papal investiture of Naples granted to Norman adventurers, or the approval and sanction given by a Pope to the invasion of England by William the Conqueror. The reality and great effect produced by this document appear from the statement in Roger de Hoveden :—“ There came to the King at Waterford all the archbishops, bishops, and abbots

of the whole of Ireland, and acknowledged him as King and Lord of Ireland, taking the oath of fealty to him and to his heirs, and admitting his and their right of reigning over them for all time to come ;" and also from the remonstrance addressed by Donald O'Neill to Pope John XXII., A. D. 1318, which complains that Pope Adrian, acting on the representation, false and full of iniquity, made to him by Henry II., King of England, and being blinded by his own English prejudices, as being himself an Englishman, had made over to the English monarch the realm of Ireland, thus bestowing *de facto* upon a sovereign, who, for his murder of St. Thomas of Canterbury, ought rather to have been deprived of his own kingdom—a kingdom which *de jure* the Pope had no right to bestow, and that this grant was the real source of all the miseries of the country.

What were the weeds of sin which Henry II. was to root up in Ireland? Giraldus Cambrensis, a most unfriendly witness, in his topography of Ireland, entitled the nineteenth chapter of the third book thus :—" How the Irish are very ignorant of the rudiments of faith." But the only specific charges brought against them in this chapter are the non-payment of tithes, irregularities as to marriage, and the celebration of marriages within the decrees forbidden by canon law.

As to the clergy, he says : " We come now to the clerical order. The clergy, then, of this country are commendable enough for their piety ; and among many other virtues in which they excel, are especially eminent for that of continence. They also perform with great regularity the services of the psalms, hours, lessons, and prayers, and, confining themselves to the precincts of the churches, employ their whole time in the offices to which they are appointed. They also pay due attention

to the rule of abstinence and a spare diet, the greatest part of them fasting almost every day till dusk, when by singing complines they have finished the offices of the several hours for the day. Would that, after these long fasts, they were as sober as they were serious, as true as they are severe, as pure as they are enduring, such in reality as they are in appearance. But among so many thousands you will scarcely find one who, after his devotion to long fastings and prayers, does not make up by night for his privations during the day by the enormous quantities of wine and other liquors in which he indulges more than is becoming."

He complains that the bishops did not preach or rebuke, "for as nearly all the prelates of Ireland are elected from the monasteries over the clergy, they scrupulously perform the duties of a monk, but pass by all those which belong to the clergy and bishops. An anxious care for the good of the flock committed to them is little cultivated, or made a secondary concern."

The indefinite charge by Giraldus against the manners of the Irish clergy may be dismissed. Their conduct appears, at least, to have been superior to that of the English clergy of the period, whose lives, when they arrived in that country, scandalized the members of the Irish Church. The sum of the charges brought against the Irish Church appears to amount to this, that the government of the Church by the bishops was such as might have been expected from the monastic traditions of the Church, and that canon law had not been established in the country.

For the purpose of carrying out the views of the Papal Government and the promises of the King in A. D. 1172, a council was held at Cashel, under the presidency of Christian, the Bishop of Lismore, the Papal Legate, and in the

presence of commissioners on behalf of the King. The more important resolutions of this council were the following :—

“ *First.* It is decreed that all the faithful throughout Ireland shall eschew concubinage with their cousins and kinsfolk, and contract and adhere to lawful marriages.

“ *Second.* That children be catechised outside the church doors, and infants baptized at the consecrated fonts in the baptisteries of the churches.

“ *Third.* That all good Christians do pay the tithes of beasts, corn, and other produce, to the church of the parish in which they live.

“ *Fourth.* That all the lands and possessions of the Church be entirely free from all exactions of secular men ; and especially, that neither the petty kings (*reguli*), nor earls, or other great men in Ireland, nor their sons, nor any of their household, shall exact provisions and lodgings on any ecclesiastical territories, as the custom is, nor under any pretence presume to extort them by violent means ; and that the detestable practice of extorting a loaf four times a year from the vills belonging to the churches, by neighbouring lords, shall henceforth be utterly abolished.

“ *Fifth.* That in the case of a homicide committed by laics, when it is compounded for by the adverse parties, none of the clergy, though of kindred to the perpetrators of the crime, shall contribute anything ; that, as they were free from the guilt of the homicide, so they shall be also exonerated from any payment in satisfaction for it.

“ *Sixth.* That every good Christian, being sick and weak, shall solemnly make his last will and testament in the presence of his confessors and neighbours, and that, if he have any wife and children, all his moveable goods (his debts and servants' wages being first paid) shall be divided into

three parts, one of which he shall bequeath to his children, another to his lawful wife, and the third to such uses as he shall declare. And if it shall happen that there be no lawful child or children, then his goods shall be equally divided between his wife and legatees. And if his wife die before him, then his goods shall be divided into two parts, of which the children shall take one, and his residuary legatees the other.

“ *Seventh.* That those who depart this life after a good confession shall be buried with masses and vigils and all due ceremonies.

“ *Finally.* That divine offices shall be henceforth celebrated in every part of Ireland according to the forms and usages of the Church of England. For it is right and just that, as by divine Providence Ireland has received her Lord and King from England, she should also submit to a reformation from the same source. Indeed both the realm and church of Ireland are indebted to this mighty King for whatever they enjoy of the blessings of peace and the growth of religion; as before his coming to Ireland all sorts of wickedness had prevailed among this people for a long series of years, which now, by his authority and care of the administration, are abolished.”

None of these resolutions refer to any question of doctrine. It is not asserted that the Irish Church, in point of doctrine, was different from the Continental; they all relate to questions of discipline, such as would naturally arise at a time when the monastic system of government was not altogether broken up, and the diocesan and parochial system were not as yet firmly established. The first resolution of the council introduces the canon laws with regard to the prohibited degrees of affinity. The second regulates the mode of administering a sacrament. The third introduces

the regular payment of tithes. As soon as the clergy ceased to be gathered together in self-supporting monasteries, it was necessary that some provision should be made for the support of an episcopacy and a parochial clergy, and the obvious means of meeting this requirement was the introduction of tithes, long since established in the rest of Europe. The fourth and fifth resolutions were rendered necessary by the introduction of parochial clergy. The former of these was intended to protect them against the exactions of the tribal chiefs; the latter, to remove them from the jurisdiction of the Brehon law, and to free them from the consequences of their blood relationship to members of the tribe. The sixth resolution introduces the right of testamentary disposition and distribution of intestates' properties. The eighth and most important regulates the rites of the Church, and declares the supremacy of the English King.

The English Crown found its most vigorous supporters in the aristocracy of the Catholic Church. Vivianus, the Papal Legate, in A. D. 1177 (?) held a synod of bishops in Dublin, in which he made a public declaration of the rights of the King to Ireland and the confirmation of the Pope, and strictly commanded and enjoined both clergy and people, under pain of excommunication, on no rash pretence to presume to forfeit their allegiance. "And, inasmuch as it was the custom in Ireland for stores of provisions to be carried to the churches in times of trouble for safe keeping, the Legate allowed the English troops engaged in any expedition to take what they found in the churches when they could not obtain food elsewhere, paying what was justly due for the care thereof to those who had charge of the churches." It does not appear that the English soldiers were required to make any payment to the owner of the goods.

A more remarkable interference by the Church on behalf of the English Government, on the occasion of the invasion of Ireland by Edward Bruce, will be subsequently noticed.

Henry returned to England, having accomplished the purpose of his expedition. He had curtailed the power of the first adventurers, obtained a nominal submission from the Irish chiefs, and enlisted the Church in his behalf. But his success had been obtained by a display of power, and, when that power was removed, his authority and influence fell to the ground. Upon the failure of his first designs, he adopted, as we shall see in the ensuing Lecture, an entirely different policy.

LECTURE VI.

THE GOVERNMENT AND POLICY OF ENGLAND IN IRELAND FROM
1172 TO 1315.

LET us reconsider the position of Henry II. as regards Ireland. The first Norman adventurers had submitted to hold as his vassals the lands they had received by gift from King Dermot, and also those which they claimed by inheritance. The Irish chiefs had taken an oath of fealty, by virtue of which, in the King's opinion at least, they held the tribe lands as vassals upon the terms of feudal tenure. Remark how different was the King's conduct to each of these classes. He treated the Normans with insolence and distrust in the hour of their sorest need ; he called upon their followers to abandon them, and cut off all supplies from England ; he compelled Strongbow upon his knees to ask for pardon ; he deprived him of Dublin and the surrounding districts ; he threw into chains Fitzstephen, the first adventurer, and received him into favour again only upon the terms of his surrendering Wexford and the adjoining country. Against the Irish chiefs, on the other hand, he waged no war, he deprived none of them of their estates, and he sought in Dublin to dazzle them by his pomp, as he had previously intimidated them by his power. It is evident that the Normans, and not the Irish, were the objects of his fears. He dreaded the establishment of a Norman mo-

narchy rather than the maintenance of Irish nationality ; and his apprehensions were well founded, for those who in Ireland subsequently strove to establish themselves in independence of the English King were not Celts, but Normans. The De Courcy, De Lacy, De Burgh, and the two families of Fitzgeralds, were the most active enemies of the English Crown.

This distrust of the Normans by the King is strikingly shown by what occurred upon the arrival of Fitz Adelm, the first Viceroy. Raymond le Gros set forth to meet him and to do him honour. They met at the confines of Wexford, and what occurred is thus described by Cambrensis :—“ Fitz Adelm seeing Raymond surrounded by so gallant a band, and beholding Meyler and his other nephews and kinsmen, to the number of thirty, mounted on noble steeds in bright armour, and all having the same device on their shields, engaged in martial exercises on the plain, he turned to his friends, and said in a low voice, ‘ I will speedily put an end to all this bravery ; these shields shall soon be scattered.’ ”

The wars waged by Irish chiefs were essentially defensive ; in the period we are now treating of, the Irish never united for national purposes ; each chief in his own district sought to maintain a tribal independence and nothing more.

King Henry may have desired to find in the Irish chiefs a counterpoise to the Norman barons, and to play off one race against the other—the constant policy of English governments ; and in fact he was unable to do more. He had no standing army sufficient to attempt or complete the conquest of the island. We are accustomed to consider the feudal kings as possessed of great military power. In this we are misled by appear-

ances. 'The outward show, the pomp of knights, the external splendour, mislead us. We mistake acts of violence for the exercise of real power. A feudal army could be rapidly gathered, and was available for the purpose of temporary defence, or transient invasion; the soldiers served only for a limited term, did not possess the equipage or supplies necessary for a prolonged campaign, and disbanded as rapidly as they had been assembled. It was not in the power of a king at this period to collect an efficient mercenary army. His estates supplied him with the means of supporting numerous retainers, but afforded him no regular monied income. The supplies arising from customs or taxation were contemptible. At intervals he might obtain a subsidy of moderate amount; but when that was expended, he had to apply to an unwilling parliament for a repetition of the gift; add to this that the expenses of an army were then far greater than at present. The wages of a knight was equivalent to that of a moderate colonel; that of an archer equal to the present pay of sub-altern: for example, when Lord Lionel, the son of King Edward III., landed in Ireland, he received himself 6*s.* 8*d.* per diem, each of his knights 2*s.*; each esquire 12*d.*; each archer 6*d.*; multiply these sums by 16, and you will have the value in present currency. It was therefore equally impossible for Henry II. to maintain a permanent army, and without such an army to retain any influence in Ireland.

For some reason, of which we are ignorant, Henry II. suddenly abandoned the policy he had at first adopted, and pursued one altogether different. It may be that the renewal of the war, upon his return to England, proved to him that his first design could not be executed. For the Norman adventurers to halt was equivalent to destruction;

their safety depended upon continued aggression. The Irish chiefs had bowed before the first display of force as reeds before a blast; they yielded because they believed the king's force to be irresistible; when this force was withdrawn, they returned to their former independence; they were ignorant how ineffective a feudal army must prove in an uncultivated and rude country; they had miscalculated the force of the invader, and underrated their own powers of resistance; they had submitted to King Henry as to the many usurpers who for the last century and a half had occupied the throne of Ireland, simply because he was the more powerful. When his power was removed, they were remitted to their original position. It may be that the King was overpowered by the pressing instance of fresh adventurers and favourites, whom he sought to provide for in a manner wholly inexpensive. Whatever be the cause, he identified the English government with the party of the Norman invaders, and sought for the sovereignty of Ireland no longer by conciliation, but by conquest; but in so doing he took care not to increase the already threatening power of the first colonists; he granted out the country to fresh adventurers, who undertook to conquer and occupy it at their own expense, but as his subjects. He possessed an apparent title by gift of the Pope, and the submission of the inhabitants—a title which he was utterly unable to enforce; they offered in exchange for lands, which the King did not possess, to wage war, and extend his dominions; but the peculiarity of the transaction was, that the King did not profess to confer lands which had been forfeited to him in consequence of the treason of their owners, or which lay waste and unoccupied; the existence of the Irish people was absolutely ignored, and estates were granted, as if there had been no owners. A proceeding identical with

this were the grants by the English Crown of tracts of land in America to English adventurers. This arrangement was peculiarly advantageous to the Crown : if the adventurers succeeded, the English kingdom was extended ; if they failed, so much the worse for them, and in a subsequent year fresh grants would be made to new speculators.

Take for example the grant of Meath from King Henry II. to Hugh De Lacy, A. D. 1172.* "Henry King of England, &c., &c., to the Archbishops, Bishops, Abbots, Earls, &c., &c., French, English, and Irish of his whole land, greeting : Know ye that I have given and granted, and by this my present charter confirmed to Hugh De Lacy for his service the lands of Meath with all its appurtenances by the service of fifty knights to him and his heirs, to have and to hold from me and my heirs, as Murcardus Hu-Melachlin, or any other before or after him better held the same.

De Lacy found Meath in the occupation of O'Rorke, whose defeat and death was a necessary preliminary to the enjoyment of the King's grant.

As the Celtic people were ignored in these transactions, let us for a moment forget their existence, and consider the feudal system created in Ireland by the English Crown. The whole country was divided into vast districts to be granted to colonists, whose mutual jealousies were probably counted upon as the sole means of preserving the King's pre-eminence.

We have seen that the district of Meath was conveyed to Hugh De Lacy. The lands comprised in this grant con-

* This grant was made before Henry left Ireland, but was part of the policy subsequently adopted by him.

tained about 800,000 acres. The grant was made without any reservation to the King of judicial power, without any rent except the service of fifty knights. De Lacy obtained by this grant all sovereign powers, and was, in fact, constituted as *the King* in this district. It appears that during the reign of Henry II., Hugh De Lacy and his family after him actually held their courts therein, with cognizance and jurisdiction of all pleas, as well of burning, treasure trove, rape, and forestalling, as of all others arising within the land, with all officers, and their proper seals, &c., which cognizance and jurisdiction are distinctly stated to have been enjoyed by virtue of this grant.

The lordship of Leinster, which composed several counties, had been claimed by Richard De Clare, by virtue of his intermarriage with the daughter of the King of Leinster; he obtained a grant of this district from King Henry II., which grant was confirmed, in 1207, by King John, to William Earl of Pembroke, who had married the only daughter of Strongbow.

The lordship of Ulster, comprising about one-sixth of the entire island, was one of the largest seigneuries held under the Crown in England or Ireland. It was originally granted by Henry II. to John De Courcy, who enjoyed it as an earldom, with the same rights and privileges as were exercised by the De Lacs in Meath.

The largest district in the south, namely, that of Cork, was granted by Henry II. to Mylo De Cogan and Robert FitzStephens.

We have already seen that in 1175 Roderick O'Connor, the last King of Ireland, consented to hold Connaught as a vassal under the King of England; but this did not save that district from the assaults of Norman adventurers. Roderick had submitted to do homage and fealty to

the King of England, and he was thereupon to hold the kingdom of Connaught, with the title of King, under him, "Rex sub eo," and that in as ample a manner as he had done before the coming of the English; nevertheless, the King, in open violation of the treaty which he had so recently entered into, and which it could not even be alleged was infringed in any respect by Roderick, in the year 1179 granted the entire province of Connaught to William Fitz Adelm and his heirs. Cathal, the son of Roderick, in the year 1206, surrendered two parts of Connaught to the King, and agreed to pay 100 marks yearly for the third part, which he was to hold in vassalage. Nevertheless, on the 12th of September, 1215, King John granted to William De Burgo the entire of Connaught, which was stated to be held by his father, at the yearly rent of 300 marks. This grant was confirmed in 1218 by Henry III., with a proviso that it should not take effect until after the death of Cathal, who died in 1223. On the 12th of June, 1225, an order was issued directing the Lords Justices to seize the whole county of Connaught, then stated to be forfeited by O'Connor, and to deliver it to Richard De Burgo, at a fixed yearly rent, excepting certain lands near Athlone, which were reserved, it may be supposed, for the use of the garrison.

It may here be stated what was the subsequent devolution of these grants, as it is important to bear in mind for subsequent purposes in whom these several lordships vested.

1. On the death of Walter De Lacy, his son, Gilbert, succeeded, and had issue, Walter, Matilda, and Margaret. Walter died without issue, whereupon Meath became divided between his two sisters, one of whom, Matilda, married Geoffrey De Genvile, and the other, Margaret, married

John De Verdon, Baron of Dundalk. The moiety of Meath acquired by De Genvile was called the Liberty of Trim: this lordship was carried into the family of the Earl of March, and, being inherited by the Duke of York, finally vested in the Crown.

2. The earldom of Leinster, like many other Irish estates, passed into a female line. Strongbow was succeeded by William Marshal, Earl of Pembroke, his son-in-law, whose five sons died without issue. Whereupon his estates were divided among his five daughters, or their husbands, as co-heirs. The county of Carlow was assigned to the Countess of Warrenne; the county of Kilkenny to the Earl of Gloucester; Wexford to John De Monte Caniso; Kildare to De Vesci; and the residue to Roger de Mortimer.

3. The seigniory of Ulster was regranted to Hugh De Lacy upon the attainder of De Courcy, and afterwards passed by inheritance into the family of De Burgo, in right of Matilda De Lacy. After the murder of the last male De Burgo, it was carried by his heirs to Lionel, son of Edward III., from whom it was inherited by the Earl of March; it descended afterwards to Richard Duke of York, whose son Edward becoming King of England, the earldom of Ulster merged into the Crown.

4. The earldom of Connaught followed the same course as that of Ulster, and the title to it, but not the actual possession of it, passed to Lionel Duke of Clarence.

5. The kingdom of Cork ultimately formed the great estates of the Southern or Desmond Geraldines.

As to all these grants, it must be remarked that they were of a much wider nature than was usual in England, carrying with them to the grantees all power and privilege of the Crown, and originally constituting what are techni-

cally called counties palatine. The great grantees of the Crown proceeded to regrant the lands to subordinate vassals. It would appear that this was done in as full a manner as the estates had been granted to themselves; for example, in the year 1177 Hugh De Lacy granted the barony of Delvin to Sir Gilbert De Nugent in the following terms:—"I have given to Gilbert De Nugent and his heirs all Delvin, &c. &c., for the service of five knights, to be rendered in my land of Meath to him and his heirs freely and quietly, &c. &c., with all liberties and free customs which they have or ought to have." Similarly, FitzStephen conveyed to Philip De Barry lands in Cork, to hold by the service of ten knights as freely as FitzStephen held of the lord the king. In this manner the lords of Leinster granted the lands of Skrine, Rathregan, &c. &c., and other lands now merged in the baronies of Slane, Dunboyne, Navan, Gormanstown, &c. The early Norman colonists did not merely confine themselves to the creation of subfeudatories; they also to a very large extent attempted to found municipal towns, and granted numerous charters in the hopes of attracting colonists.

We have thus, in theory at least, and in view of strict English law, a complete feudal system established in Ireland; at the top stood the King, at the bottom the lowest vassal, and this legalized form of society presented a consistent form. But the feudal system as established in Ireland differed in important respects from that existing in England. It is usual for Irish writers to attribute much of the sufferings of Ireland to the misgovernment of England and the introduction of feudalism, whereas most of these evils may be referred rather to English non-government and to the peculiar anomalies of the Irish feudal system. The feudal system as introduced into Ireland, like

most other institutions imported from England, was altered in such a manner as to retain all its evils, and lose all its advantages. The Crown in Ireland possessed no power of controlling its vassals. When William the Conqueror distributed the lands of England he retained in his own hands a larger proportion of manors than he granted to any of his followers. He thus became himself the most powerful feudal lord in the country. Similarly, the early kings of France of the house of Capet held large estates in the Isle de Paris, and elsewhere in France, and thus were enabled single-handed to maintain their ground against any rebellious vassal. How important it was for a feudal king to possess resources of this description may be seen by the example of the German Empire, where the power of the Kaiser, and consequently the peace and well-being of the entire nation, depended upon the accident whether the Emperor was the owner of large hereditary estates, or the representative of some petty principality. In Ireland there were no manor or valuable estates that the Crown could appropriate, the entire country had to be conquered; and as the Crown did not assist in the conquest, it received no part of the spoils. Thus we find the Crown had absolutely no demesnes of its own, and, being deprived of any military force of its own, it had to rely upon such of the great feudal vassals as might remain loyal for the purpose of crushing those who might be in rebellion. The inevitable result of this policy was to kindle a civil war and excite personal feuds in the attempt to maintain order.

Thus the feudal system in Ireland was deprived of the only force which could keep it in regular and harmonious working: like a machine without a fly wheel, its movements became uncontrolled and irregular. It was, however, possible that the several grantees of large tracts of land from the

Crown should have established themselves like petty princes, and occupied a position resembling that of the great vassals of the German Emperor; but the jealousy of the Crown towards its Norman vassals prevented this result. As I before remarked, the direct vassals of the Crown in Ireland were very limited in number—perhaps not more than six or seven. According to the strict theory of feudal law, these were the only vassals of the King, and they alone should have formed his council; as the King stood towards his immediate vassals, so they stood towards their sub-feudatories; as the King's vassals in chief were “impleadable” in his court, so the sub-vassals were in the court of their immediate lord; there should have been no legal relation between the Crown and the sub-vassals, except when they came to complain of the tyranny of the immediate lord; but no sooner had the Crown made to its first grantees the ample gifts which we have before mentioned than it proceeded to undermine their power, by putting itself in immediate relation with their sub-tenants. From the earliest period we find the Crown attempting to exercise authority over all the English inhabitants, whether holding mediately or immediately; for example, King John issued orders prohibiting recognitions to be made in any court except his own, and commanding that no person should be outlawed but in his, the King's court. In his sixth year he directs writs to the barons, &c., of Ireland, acquainting them he had given power to his Justiciary to issue writs throughout the King's whole land and dominion in Ireland. Parliamentary writs were directed by the Crown, not only to its own grantees, but also to their sub-vassals; and we find the Crown joining in and confirming grants made by its own vassals to their feudatories, thus ignoring the full effect of its own previous acts.

Upon every occasion, when any heir of a grantee sought a confirmation of the original charter, the extent of the original gift was cut down, by reserving to the Crown certain of the powers which had been granted by the former charter.

Had the Crown possessed any actual power, or seriously attempted to enforce law and order throughout the entire island, such proceeding might be evidence of an intelligent policy; but as the Crown possessed no force to give any sanction to the decrees of its courts, did not maintain any police, and was powerless in enforcing its authority, such a course evinced merely a desire to restrain the power of the greater vassals, and was, perhaps, caused by no higher motive than a desire to secure the emoluments then arising from the exercise of justice; and arose rather from a blind imitation of the forms usual in England, than any serious intention to fulfil the ordinary duties of government.

We have thus a feudal system, in which the Crown is powerless to fulfil its duties, yet active in preventing the greater nobles from exercising that influence which might have secured a reasonable degree of order. The whole energy of the nobles was turned away from government to war; and lest they should become local potentates, they were allowed to degenerate into local tyrants.

But what, meanwhile, had become of the Irish nation? As the feudal system ignored their existence, we have permitted them to fall out of our view, but they still existed, and still were politically independent. The invaders had occupied the flat country, suitable for the operation of their forces, and the original inhabitants had retired into either the mountainous districts, impassable to cavalry, or into districts protected by the bogs, and difficult of access; nay, even in some parts of the island, where the Normans were not in force, they had re-occupied large

portions of the open country. They did not retire as disorganized fugitives, but the tribes retreated, keeping their social organization unbroken ; and, although removed from their original habitations, still preserved their social identity.

The remarkable point in the conquest was, that the Celtic population was not driven back upon any one portion of the kingdom, but remained as it was, interpolated among the new arrivals. The distribution of the two populations may be briefly sketched as follows :—The Normans occupied, in considerable force, the counties of Antrim and Down, in Ulster ; in Leinster, the counties of Louth, Meath, Dublin, Kildare, and the greater portion of Westmeath, were densely colonized by Normans and Saxons ; southward, the colonists occupied, in a narrow line, portions of the King's and Queen's Counties, and Carlow ; they held the counties of Kilkenny and Wexford, and the eastern part of Tipperary and the eastern part of Munster ; they occupied Limerick and the adjoining districts, and their castles extended to the mouth of the Shannon. In Connaught, the territories of the De Burgo stretched from Galway northward and eastward over the plain portion of Connaught, and communicated through Athlone with their countrymen in Leinster. On the other hand, the residue of Ulster was occupied by the O'Neils and O'Donels, and their subordinate tribes. South of them extended the districts of the O'Farrells, the O'Reillys and O'Rorkes. In Leinster, the O'Tooles and O'Byrnes occupied the mountains of Wicklow, and the Carlow and Kilkenny hills were in the hands of various tribes, of which the chief was the M'Murroghs, subsequently known as Kavanaghs. The west of Munster was strongly held by the Mac Carthys and their subordinate tribes ; Clare was occupied by the O'Briens ; the western coast beyond

Lough Corrib remained in the possession of the O'Flahertys, and the north-east of Connaught was under the control of the O'Connors.

The Celtic population possessed no definite legal position, filled no place in the feudal hierarchy, and was in the eyes of the English government hostile and alien; the only exception to this was the case of the O'Briens, who, though not actually feudal vassals, had their estates secured by a charter, and five Irish families, through some unknown reason, were considered as the King's men and entitled to his protection; these were known as the five bloods, who enjoyed the law of England to the extent of the privilege to sue in the King's courts, viz., O'Neil, O'Molaghlin, O'Connor, O'Brien, and M'Murrough.

Let us now consider, in accordance with the ideas of law then prevalent, what was the legal position of the mass of the Irish people. It is a modern idea that the King's courts or any courts are open to the complaints of or against any person found within their jurisdiction. The feudal courts were held to decide the rights of the vassals of the lord; the municipal courts to adjudicate upon the suits of the members of the corporation.

Those who were not entitled to appeal to those courts had technically no *locus standi* there; they were strangers whose existence was altogether ignored by the courts unless they claimed protection by virtue of some specific treaty, or by way of reciprocity. The principle, strange to a modern audience, must be familiar to all those acquainted with the origin of Roman law, or mediæval customs. Let us suppose that the Celtic people had been driven into a definite district, and were treated as a foreign, and independent nation, the principles thus applicable to such a state

of things are laid down in the 8th chapter of the 1st Book of Cibrario, Political Economy of the Middle Age:— “Christianity for the first time proclaimed the idea of a human society, all the members of which are brethren, and possess the same origin and a similar destiny; but the contrary idea, which caused every stranger to be considered an enemy, or at least as unworthy to participate in the advantages of the social state, had such profound roots in public opinion, that the sublime philosophy of Christianity experienced much difficulty in causing the consequences of its doctrines to be generally adopted. Among the Greeks every stranger was called a barbarian, and put beyond the pale of common right. Among the Latins the word ‘hostis’ signified at once a stranger and an enemy; the Germans called such ‘*wargengus*,’ a wanderer; the Anglo-Saxons, a ‘*wretch*,’ as worthy of pity. After this we must not be surprised if strangers were declared incapable of acquiring or succeeding to property; if, on their death, their goods were confiscated; if the tribunals in very many countries could not protect their rights against a member of the city; if they became serfs, when they fixed their residence upon the lands of a lord without authorization. It is true that the contrary principle gradually insinuated itself into the habits and laws of nations; under the name of hospitality, the Burgundian laws desired that none should refuse a stranger lodgment, fire, or water, &c. &c. In some places they admitted the right of reciprocity; the stranger was treated as strangers were in his country.

“From these principles, framed for the purpose of creating isolation, had flowed another maxim, which, in the case of strangers, rendered all the members of the same city responsible for the acts of any one of their citizens (*solidaires*); hence arose frequent complaints by one state

against another for debts, for wrongs, for injuries caused to the member of one state by the members of another. If the slightest negligence was shown in repairing the damage, letters of reprisal were issued to the injured citizen, that is to say, he was given full liberty of himself and by force to levy full damages upon the persons and property of citizens of the state, to which the offender belonged."

The Irish in Ireland were treated by the King's courts in Ireland as an alien and hostile nation; an Irishman out of the King's peace could not bring an action against an Englishman; for example, in the 28th Edward III., Simon Neal brought an action of trespass against William Newlagh, for breaking his close at Clondalkin, in the county of Dublin; the defendant pleaded that the plaintiff was a mere Irishman, and not of the fivebloods. The plaintiff replied he was of the five bloods, viz., of the O'Neills of Ulster, who by the grant of the ancestors of our lord the King ought to enjoy and do use English law, and are esteemed "freemen," that is "men of the King." Again, in 29th Edward I., Thomas Botter brought an action against Robert D'Almaine for certain goods; the defendant pleaded he was not bound to answer the plaintiff, inasmuch as he was an Irishman, and not of free blood. The plaintiff replied he was an Englishman, and sought for an inquiry as to his country.

Likewise the Irish were treated as being beyond the protection of the King's peace, so that it was no legal offence to kill one of them; thus, in the 4th of Edward II. at Waterford, before John Wogan, Lord Justice, it is recorded that Robert La Waylys was put to trial for the death of John, the son of Ivor MacGillmory, &c. &c. The defendant comes and admits that he had killed the said John; however, he says that by so slaying him he could

not commit felony, because he says he was a mere Irishman, and not of free blood ; and when the lord of the said John (whose Irishman the said John was) shall desire compensation for the death of the said John, he, Robert, will be willing to settle with regard to such compensation as justice may be ; and upon this comes one John Le Poer, and on the part of our lord the King, says that the said John and his ancestors of his own name, from the time of Henry II., was in Ireland unto this day, ought to have and be judged according to English law, and then sets out a charter of denization granted to the Ostmen.

Again, in the 29th Edward I., before Walter Lenfant and the other Justices Itinerant, at Drogheda, John Lawrence was indicted for the murder of Galfred Doudal. He came and admitted that he had killed him, but said that the said Galfred was a mere Irishman, and not of free blood. The jury found that Galfred was an Englishman, upon which verdict John Lawrence was convicted and hanged.

As to the right of reprisals exercised against the Irish tribes, we may refer to the 10th Edward IV., 1476, when it was enacted that if any Englishman be damaged by an Irishman not amenable to law, he shall be reprised out of the whole sept or nation of the party doing the injury, according to the discretion of the chief governor of the land and the King's counsel. In consequence of these principles of legislation, we find numerous charters of denization granted by the Crown from time to time to Irishmen, as if they were actual foreigners.

We are ignorant how an Englishman would have been treated if he had wandered into the districts occupied by the Irish tribes, but it may be presumed that similar principles were used upon both sides.

The peculiarity of the state of affairs in Ireland was not

that the legal principles adopted were unusual, but that ordinary admitted principles were applied under exceptional circumstances. Rules of law, which were harsh and mischievous enough when applied in the case of two distinct nations, became extravagant and tyrannical as between Normans and Celts, neighbours inhabiting the same district.

But, though legally ignored, the Irish tributes could not be politically disregarded. The English government used their assistance to repress the rebellions of insurgent vassals. The Viceroy used the assistance of the O'Connors to check the growing independence of the De Burghs. They were called on to furnish assistance to the English armies, and on many occasions we find their chiefs summoned by writ of Parliament, as if feudal vassals; but the mode in which they were treated depended upon the immediate objects and want of the English Government, and the general course of conduct pursued towards them was such as has been previously stated; and, as contributing to the extension of Royal influence, every Anglo-Norman noble was permitted to wage war upon them to the best of his ability, and as suited his convenience.

We must now briefly consider the condition of the Church in Ireland. The archbishops and bishops who assembled at Cashel in 1172 were the warmest supporters of the English King, and a close alliance was, as we have seen, formed between the foreign government and the authorities of the Church; but the alliance of the Church rapidly became useless, from the mode in which the appointments to bishoprics and other clerical offices were filled up. A Norman priest who spoke only the French language, or perhaps a little English, could exercise no influence over the Irish-speaking population; an Irish priest who spoke no French would have been despised by a Norman noble. Both classes

of the population required a separate priesthood, and we consequently find the Church divided between the priests and monks who spoke English or spoke French, and those who spoke merely Irish. The monasteries within the English districts refused to receive Irish-speaking monks ; the monasteries of the Irish district expelled the English monks, and the distinction of English and Irish priests extends down into the middle of the sixteenth century. The appointments made by the English Government to bishoprics were as a rule Normans ; the series of archbishops of Dublin, in point of ability and position, equals that of any English bishopric, but the archbishops of Dublin were as a rule Normans. They were employed in high state offices and embassies by the English kings, were conspicuous in English history, and, in fact, devoted their talents to every duty except that of their archbishopric. On the other hand, a bishop who came closely in contact with the Irish people tended to fall into their habits, and abandon his position as an English prelate. For example, the Bishop of Down was, in the reign of Edward I., tried and convicted for the following offences :—1st, That he had combined with M'Melissa, Archbishop of Armagh, in issuing certain regulations in his diocese, for the purpose of excluding English monks from the monasteries ; 2nd, That upon the Church lands he had administered justice, not according to English but to Irish law. In 1297, the Crown having sent to the convent of St. John, at Down, a letter of licence to elect its nominee as abbot, the same bishop broke into the convent and carried off or destroyed the King's letter, appointing of his own authority his own nominee as abbot.

The Church in Ireland was thus divided into two factions, not differing in doctrine or discipline, but hating each other with a national animosity.

It is needless to refer to the numerous English laws against the admission of Irish clerks. The Irish clergy were equally exclusive. In the 15th Edward II., it appears that there existed in Mellifont the custom that none should be admitted into the house without giving proof that he was not of the English race. As the abbey of Mellifont was in shire land, it may be suggested that this regulation applied only to those born in England.

Previous to this date M'Melissa, Archbishop of Armagh, and Nicolas, of Down, seem to have combined for the purpose of excluding English clerks from the monasteries in their dioceses.

“In 1325,” writes Friar Clynn, “there was discord almost universally among all the poor religious of Ireland, some of them upholding, promoting, and cherishing the part of their own nation, blood, and tongue; others of them canvassing for the office of prelates and superiors.”

The alliance of the Church, under these circumstances, afforded the English Government but little assistance. The Norman and English prelates were devoted supporters of the English Crown, but failed to exert any influence over the native population.

We thus find the English and Irish races hopelessly at variance, and it would seem that one or other must have been crushed out in the contest; but such was not the result; they both survived, and, contrary to reasonable expectations, the Irish exhibited the greater vitality.

The expulsion of the English colony was an effort beyond the power of the disunited Irish tribes; for in the darkest hours of the English settlement the power of England was ready, by some sudden effort, to reassert the English supremacy.

But why did the Anglo-Normans wholly fail to subdue

the Irish. From the facts stated in this and the preceding Lecture, the reasons of their failure may be suspected. I should briefly state them as follows :—1. The large extent comprised in the grants made to the first colonists led to a dispersion of the Norman nobles over the more fertile portions of the country. The English colony never formed one compact body capable of combined action. The lordship of Ulster communicated with Leinster through the passes of the Mourne mountains. The English in Leinster communicated with those in Connaught by the difficult route of Athlone. The road to Kilkenny and Carlow was threatened by the Irish tribes of the Wicklow Mountains, and the woody and boggy country to the west. The settlers in Wexford were practically isolated, and the communication with the southern Geraldines became difficult at an early period ; the districts also occupied by the English were sparsely populated by the colonists—they had never been altogether abandoned by the original inhabitants, and were never fully occupied, with the exception of Meath, by English colonists. Under these circumstances the English occupied a position affording little means for successful aggression, and utterly incapable of regular defence. The efforts of any of the scattered portions of the colony, however successful, did not tend to drive back the Irish population, or coop them up in any particular district. The tribes defeated in one quarter would be thrown back upon another portion of the English colony, and the ultimate conquest of the island remain as incomplete as ever.

2. The military equipment of the Normans, and their mode of carrying on war, rendered their forces wholly inefficient, when leaving the flat country they attempted to penetrate the fastnesses of the native tribes. The unsuccessful expedition of Richard II. was a remarkable instance:

the archers were ineffective in a closely-wooded country ; the heavy cavalry could not be moved on the boggy ground ; the infantry were worn out by cutting passes through the woods, and one of the largest armies which ever invaded Ireland failed to subdue the counties of Wexford and Carlow, and, after great sufferings, scarcely escaped by sea.

The remarks of Giraldus upon the two preceding reasons are so much to the point that I quote them at length :—

“ The Normans who are newly come among us (viz., the first Welch-Norman adventurers), may be very good soldiers in their own country, and expert in the use of arms and armour after the French fashion, but every one knows how much this differs from the mode of warfare in Ireland and Wales. In France war is carried on in a champagne country—here it is rough and mountainous ; there you have open plains—here you find dense woods ; in France it is counted an honour to wear armour—here it is found to be cumbersome ; there victories are to be won by serried ranks and close fighting—here by the charge of light armed troops ; there quarter is given, prisoners taken, enemies admitted to ransom—here their heads are struck off as trophies, and no one escapes. Where armies engage in a plain country, heavy and complex armour, whether shirts of mail or coat of steel, is both a splendid ornament of the knights and men-at-arms, and is also necessary for their protection ; but where you have to fight in close passes and in woods and bogs, in which foot soldiers are more serviceable than horsemen, a far lighter kind of armour is preferable. In fighting against naked and unarmed men, whose only hope of success lies in the impetuosity of their first attack, men in light armour can pursue the fugitives. The Normans, with this complex armour and their deeply-curved saddles, find great difficulty in getting on horseback and dismount-

ing, and still greater when occasion requires that they should march on foot.

“ Moreover, the part of the country on this side, as far as the river Shannon, which forms the boundary between the eastern parts of the island and the western part, should be protected by strongly fortified castles, built in different places ; and further, in the meantime, let all the country beyond the Shannon, including Connaught and part of Munster, be subjected to annual tribute, except the city of Limerick, which should by all means be recovered and occupied by the English ; for it would be better, far better, to begin with building fortresses on suitable situations, proceeding by degrees to construct them, than to erect a great number at once in a variety of places at a great distance from each other, where they would be entirely disconnected, and could afford no mutual aid in time of need.”

We may observe in this last passage a kind of foreshadowing of the system adopted by Cromwell in Ireland.

3. From the absence of any central government, civil wars continually arose between the several Norman lords ; thus the military power of the colonists was frittered away in dissensions, in which each belligerent was but too willing to avail himself of the assistance of the adjoining Irish, who profited by the disasters which befel either of the combatants.

4. The English government continually called upon the Irish Barons for aids and military service, to be employed in wars elsewhere than in Ireland. For example, in the 38th Henry III. a writ is issued to Maurice Fitzgerald, respecting the army of Christians and Saracens who were hastening to the invasion “ of the king’s dominions in Gascoigne, and who would thereby obtain an entry into England and Ireland ; for this reason he is desired to come

with all his friends to the King in Gascoigne, so that they be at Waterford against Easter, ready to embark with horses, arms, and soldiers, for never in future time can their aid in counsel be so required as at present.” The forces of the Irish Barons were used for the purposes of the Scotch wars. Edward I., in 1295, issued a writ to the Justiciary, requiring him to raise a certain number of horsemen, and 10,000 foot, who were to be fully accoutred, and sent over for service in England. Money was also frequently raised from Irish Parliaments, which we may assume was spent by the King for purposes he deemed more pressing than the completion of the conquest of Ireland.

5. Many of the estates of the Norman nobles descended to heiresses, who married Englishmen already possessing estates in England: hence arose absenteeism, the evils of which at the period of which we are now treating were altogether different from its present results.

An Irish estate then afforded no pecuniary income; it involved duties, but no emoluments. The lord was enabled by the aid of his personal retainers, whom he supported, at least to hold his own against his Irish neighbours; but no English nobleman was willing to abandon his secure possessions in England to fulfil irksome duties in a then barbarous country. The absence of the lord with his retainers would have left the castles vacant, and it became necessary for him to employ a permanent garrison. As has been already observed, the pay of English troops was then exorbitant; but, on the other hand, Irish gallowglasses could be retained at a comparatively trifling expense. As a natural consequence, the castles of the absentee lords soon became exclusively garrisoned by Irish mercenaries, commanded by an Irish seneschal, both of whom, governor and garrison, revolted upon the first favourable opportunity: for example, in

Clynn's Annals we find :—“1342—obiit Leysert O'Morthvir potens dives et locuples et in gente suâ honoratus. Hic fere omnes Anglicos de terris suis et hereditate violenter ejecit, nam uno sero viii castra Anglicorum combussit et castrum nobile de Dunmaske (Dunamasc) Domini Rogeri, de Mortuomari, destruxit et dominium sibi patriæ usurpavit *de servo dominus, de subiecto princeps effectus.*”

“In the year 1342 died Leysert O'Moore, a man powerful, wealthy, rich, and honoured in his own tribe. He, by force, thrust out almost all the English from his lands and inheritance, for in one night he burned eight English castles, and destroyed the noble Castle of Dunamase, the property of the Roger Mortimer, and acquired for himself the lordship of his country, having made himself lord instead of serf, prince instead of subject.”

6. Even the lords, who resided constantly upon their Irish estate, gradually lost their Norman habits, and tended to assimilate themselves to the manners, and to adopt the language, of the Irish. Irish writers are fond of attributing this to some peculiar fascination which the tribe life of the natives possessed, to the charms of their society, and the gentleness of their character. No such explanation is necessary. Separated from their countrymen in England, living in isolated castles, and necessarily brought into contact with the native, the associations and prejudices, which are the strength of a dominant aristocracy, were gradually enfeebled. The utmost hostility cannot exclude many occasions of social intercourse. Foreign intruders, unless they can establish themselves as a dominant aristocracy, must gradually be fused into the mass of the conquered race. Thus arose intermarriages and fostering, which seduced the Normans from their original allegiance, and taught them to regard their Celtic neighbours as friends

and compatriots rather than hereditary enemies. The strict law and feudal obligations which bound the feudal vassal to his superior seemed irksome when contrasted with the complete freedom of a Celtic chief. To throw off the mail, to don the saffron, to become the leader and ally of his former enemies, was the obvious course by which a Norman lord could escape from the oppression of his feudal superior. But even the obstinate Norman found it difficult to preserve his nationality. An Irish tribe resembled a moveable column. Its integrity and existence did not depend upon the maintenance of any town or castle. If overpowered by the enemy, it abandoned its village of cabins, and plunged deeper in the natural fastnesses of the country; it might be exterminated, but was incapable of conquest. On the other hand, if the vigilance of the Norman castellan relaxed for a moment, the ever-watchful enemy broke in upon his estates; his crops were destroyed, and flocks driven off before the feudal levy could be got together for resistance.

Colonists in the position of the Anglo-Norman settlers, if they fail to reduce the native population to serfdom, require a permanent armed force for the purpose of protection —a truth which the bitter experience of modern colonists has abundantly proved; but the feudal system afforded no force of such description. The vassals served for stated periods, and according to the rules of their tenures, and being agriculturists, objected to being harassed by perpetual summons to arms. A permanent force was an absolute necessity to the lord; his vassals failed to supply this want, and, as before explained, the expense of English mercenaries was excessive. As a natural consequence, the resident lords also fell into the habit of employing mercenary gallows-glasses. Irish followers exhibited greater personal devotion

and obedience than feudal vassals, and were maintained at a cost insignificant as compared with English soldiery. But even for their maintenance the legitimate revenue of the lord was insufficient; to supply them, the feudal tenants were oppressed by exactions hitherto unknown. The Irish retainers were quartered upon them—a practice borrowed from the Irish chiefs; but in this case imposed upon a people to whom it was distasteful, and seemed unjust, and exercised in the most irregular and oppressive manner. Under these circumstances, the smaller English freeholders in great numbers abandoned their lands, and returned to England. Their deserted farms were occupied by Irish retainers, and the English settlers, thus gradually weeded out, were replaced by the original occupiers.

The position of the Norman lord himself became strangely altered; instead of occupying a definite place in a system with his duties to his superior and rights over his inferiors, he became the irresponsible leader of devoted followers, who knew no law but his will. The peculiarities of this state of things would be exhibited upon the death of the lord, if his heir, according to English law, were a minor or a woman. According to English ideas, the estate would in such case pass to a minor heir or the heiress, and the Crown would exercise the rights incident to its feudal superiority. But what was the estate? The original estate had disappeared, and for it there had been gradually substituted "*a tribe*," of which the original mercenaries formed the popular element, and the family of their first employer the ruling house. If the Crown attempted to enforce its feudal rights, or supported the claim of the minor heir or heiress, a district originally held by feudal tenure was suddenly converted into Irish tribe land. Bearing these considerations in mind, we can easily understand why the English law frequently de-

nounced the keeping of gallowglasses, and quartering them upon the country (coigne and livery), as amounting to acts of treason.

7. The Irish Channel, although wide enough to check colonization, and render military expeditions to Ireland difficult and costly, afforded no insuperable obstacle to the passage and return of those who repaired to Ireland to seek their fortune, or who, having failed there, desired to return to England.

Hence the constant arrival of fresh adventurers, who sought by grants from the Crown and legalized plunder to repair their fortunes, but rarely desired to make Ireland their permanent home. Unprincipled foreign speculators and beggarly court favourites afflicted Ireland, and were the instigators of and sharers in the constant confiscations of the estates of Norman and Celt alike. These new English arrivals arrogated to themselves the name of "English," treating their brethren who had the misfortune to have been born in Ireland, as an inferior class. To gratify the former class, and to mortify the Irish English in 1341, Edward III. resolved to resume into the hands of the Crown all lands, tributes, seignories, and jurisdictions which he or his father had granted in Ireland (1341). In the following year (1342) Desmond and the confiscated lords at Kilkenny asked of the King the parliament questions, "How an officer of the King, who entered very poor, could in one year heap up more wealth than men of great estates in many?" and "how it chanced, since they were all called lords by their own, that the Sovereign lord of them all was never the richer for them?" In 1361 Lionel, Duke of Clarence, arriving with an English force, by proclamation forbade any of the old English to join his army or approach his camp. Bitter animosities arose between the English by birth

and the Irish English; the former were nicknamed “English hobbies;” the latter styled “Irish dogs.” Such dissensions tended to enfeeble the power of the English colony, and to render the original settlers less unwilling to amalgamate with the natives.

These various causes of the failure of the Anglo-Norman colonists did not come into full operation until the fourteenth century. At the close of the reign of Edward I., the English influence was predominant in Ireland; but its system, political and social, was utterly rotten, and even without foreign interference, could not have been permanently maintained.

It was shivered to pieces by the Scotch invasion of 1315, which, with its consequences, will form the subject of the succeeding Lecture.

LECTURE VII.

THE INVASION OF BRUCE, AND THE STATUTE OF KILKENNY.

At the commencement of the fourteenth century the position of the Anglo-Norman colony in Ireland seemed unassailable; so far from requiring constant aid from England, large supplies of men and arms were furnished from Ireland for the war in Scotland. The most important military commands were held by members of the Norman-Irish houses. But in this century commenced a series of events, which, in the space of fifty years, overthrew the supremacy of the English Crown, and compelled it to abandon its aggressive attitude towards the Celtic population, and adopt a purely defensive policy.

The most important event from the date of the English so-called conquest, to the commencement of the Tudor government in A.D. 1534, is, undoubtedly, the invasion of Ireland by Edward Bruce in A.D. 1315. In the tedious recital of aimless civil war which encumbers the history of Ireland, the peculiar bearing of this event has been overlooked; but it undoubtedly constituted the turning point in the history of this country, and accelerated the collapse of the feudal government.

The result of the national struggle in Scotland could not but react upon Ireland. The Celtic population were encouraged to aim at national independence by the success of the Bruce, and the prestige of the English Crown was

seriously diminished. On the other hand, interference in Ireland was the natural policy of the Scottish King. It was his obvious interest to cut off the supplies drawn by England from this country, and to establish his brother in an independent sphere of action. The victory of Bannockburn placed the Crown of Scotland upon the head of Robert Bruce, the last successful Norman adventurer; but, in the protracted struggle with England, the younger brother had exhibited equal vigour and perseverance, if not equal ability. Edward Bruce could scarcely sink into the position of a vassal, and he might have proved a formidable rival. Under these circumstances, the native Irish chieftains and the Scottish King easily came to an agreement in their common design of expelling the English, and placing the Crown of Ireland upon the head of Edward Bruce.

The complaints and desires of the Irish chiefs are fully set forth in their celebrated letter to Pope John XXII., one of the most important documents in our history :*—

“To our most Holy Father in Christ, the Lord John, by the grace of God Supreme Pontiff, his attached children, Donald O’Neyl, King of Ulster, and rightful hereditary successor to the throne of all Ireland, as well as the princes and nobles of the same realm, with the Irish people in general, present their humble salutations, approaching with kisses of devout homage to his sacred feet.

“Least the bitter and venomous calumnies of the English, and their unjust and unfounded attacks upon us, and all who support our rights, may in any degree influence your mind (though Heaven forbid it should do so), or least circumstances unknown to you, and made by them the subject

* The original is contained in the *Scotichronicon* of Fordun, sub anno 1318. An English translation is to be found in King’s *Primer of Church History of Ireland*, supplemental vol., Appendix xix.

of misrepresentation, may seem to require some correction at your hands, as though their statements were fully in accordance with the truth ; with loud and imploring cry we would convey to your holy ears, in the contents of the present appeal, an account of our first origin, and of the condition in which our affairs at this moment stand ; and also of the cruel injuries to us and our forefathers, inflicted, threatened, and to the present hour continued, by successive kings of England, and their wicked ministers, and Anglican barons of Irish birth ; that so you may have it in your power to examine into the particulars of the case at issue, and thus to discern for yourself which party it is that has been compelled by real grievances to raise a clamour. And then shall it be for your judgment, after careful and satisfactory inquiry into the matter, to determine, according to the character of the evidence brought before you, what punishment or correction should visit the offences of the delinquent party.”

The complainants then set out the ancient independence of the Irish realm, the piety and virtue of its native princes, and trace their subjugation and misery to the unrighteous obsequiousness of Pope Adrian in granting the kingdom of Ireland to Henry II. To the Papal Bull of A. D. 1170 they attribute the sufferings and misery of their country, and state, as an undoubted truth, that, in consequence of that fatal grant, upwards of fifty thousand persons of both nations had perished by the sword, independently of those who were worn out by famine, or destroyed in dungeons. They assert that the terms upon which the Bull was granted had been constantly violated by the English kings. “ For the territories of the Church are so curtailed, narrowed, and mutilated by them, that some cathedral churches have been plundered of a moiety, and more than that, of their

lands and property, while ecclesiastical privileges of every kind are, for the most part, entirely abolished by those individuals here spoken of. And our bishops and prelates are indiscriminately summoned, arrested, seized upon, and imprisoned by the ministers of the King of England in Ireland; and, though suffering as they do, such constant and serious injuries, they are yet so *strongly influenced by such slavish timidity, that they never venture to bring before your Holiness any representations concerning them.* In consequence of such *scandalous silence* on their part, we are also disposed to refrain from any further observation on this topic."

As regards the conduct of the English Government towards the natives, the complainants state:—"They have also deprived them of their written laws, according to which they had been governed for the most part in preceding times, and of every other law, excepting that with which they could not be forced to part; introducing meanwhile, with a view to the extermination of our people, infamous laws of the most abandoned and unprincipled character, some of which, by way of example, are here inserted; and those which we subjoin are inviolably observed in the Court of the King of England and Ireland, viz. :—

" 1. That permission is given to every person who is not Irish, to summon at the law any Irish person, in any sort of action whatsoever. But every Irishman, whether he be clerk or layman, the prelates alone excepted, is *ipso facto* excluded from commencing any action whatsoever.

" 2. Further, as it very constantly happens, whenever any Englishman, by perfidy or craft, kills an Irishman, however noble, or however innocent, be he clerk or layman, be he regular or secular—nay, even if an Irish prelate were to be slain, there is no penalty or correction enforced in the

said Court against the person who may be guilty of such wicked murder; but rather, the more eminent the person killed, and the higher the rank which he holds among his own people, so much the more is the murderer honoured and rewarded by the English; and not merely by the people at large, but also by the religious and bishops of the English race; and, above all, by those on whom devolves officially the duty of inflicting on such malefactors a just reward, and equitable correction for their evil deeds."

These first two heads of complaint refer to the fact that the King's courts exercised no jurisdiction, either to maintain the rights or punish the wrongs of Irish aliens, the origin of which apparent anomaly has been explained in a preceding Lecture.

"3. Furthermore, every Irishwoman, whether of noble rank or otherwise, who marries any Englishman, is deprived, on her partner's death, merely because she is an Irishwoman, of the third part of the landed property and other effects which belonged to her deceased husband."

The meaning of this section appears to be that, inasmuch as the intermarriages of feudal tenants with women of Irish birth, was forbidden by English-Irish Statutes, the courts did not admit such marriages as legal, and rejected the widow's claim to dower. At this period, questions as to the personal estate of intestates could not have come before the King's courts, but would have been subject to the jurisdiction of the ordinary.

"4. Again these English, whenever they can compass the destruction of an Irishman by violent means, will not by any means allow such Irishman to dispose of his own property by his last will or testamentary arrangement of any kind. But on the contrary, they make their own of all his goods, depriving the Church of her just rights, and by

their violence reducing, on their own authority, to a state of bondage the blood which flowed in freedom from the days of old."

The Irish, in this complaint, show how little the English Common Law was understood by the native Celts. No feudal vassal at this period had a power of disposing by will of real estate. The principle of English law here referred to is evidently the attainder of those who were executed as traitors or felons, whose blood was corrupted, so that heirships could not be traced through them, and whose property was forfeited to the Crown.

Their fifth cause of complaint was the exclusion of Irish ecclesiastics from religious houses, as to which they cite a Statute alleged to have been lately passed at Kilkenny—viz., "It is ordained that all the religious who dwell in the land of peace among the English are prohibited from receiving into their order or form of religion any excepting such as are of the nation of the English."

As to this complaint, it may be observed that it dealt only with the religious "who dwell in the land of peace among the English," and was not aimed at monastic institutions situated in tribal territory; and further, that in the Irish monasteries the English seem to have been reciprocally excluded.

The complainants then state that the Anglo-Normans in Ireland were guilty of constant acts of cruelty and perfidy, "for they have kept up ever since the days of old this wicked and unprincipled usage, which is not even yet falling into disuse amongst them, but, on the contrary, gaining every day new strength, and becoming more inveterate—viz., that when they invite to an entertainment some of the nobles of our nation, at the very time of repast, or during the hours devoted to rest, they will shed without mercy the

blood of the unsuspecting guests whom they have invited, terminating in this way their abominable feasts.” Five instances are cited in proof of this assertion, one of which does not appear apposite, and in three of the remaining four the victims were Normans, not Irish.

They further allege that the laity were supported in these outrages by the clergy, who openly asserted that it was no sin to slay an Irishman.

“ For it is not merely their lay and secular persons, but even some of the religious among them too, who are asserting the heretical doctrine that it is no more sin to kill an Irishman than a single dog or any other brute animal. And in confirmation of this heretical opinion, some of their monks audaciously affirm, that if it were to happen to them, as it often does happen, that they should kill an Irishman, they would not for this refrain from the celebration of the mass even for a single day. And accordingly what they preach in words is unhesitatingly and shamelessly put in practice in their deeds, by the monks of the Cistercian order of Granard in the diocese of Armagh, and also by the monks of the same order belonging to Inch in the diocese of Down. For making their appearance publicly in arms, they invade and slaughter the Irish people, and yet celebrate their masses notwithstanding.”

After stating that a warm appeal had been made to the English King through the Bishop of Ely for the removal of these grievances, and that they were resolved to enforce their rights by the sword, they proceed thus:—“ In order to effect our object in this behalf with more promptness, and in a dignified manner, we are inviting to our aid and assistance Edward De Bruce, the illustrious Earl of Carrick, brother german of the most illustrious Lord Robert, by the grace of God King of the Scots,

and descendant of some of the most noble of our own ancestors. . . . May it please thee, therefore, most Holy Father, out of a regard for justice and the public peace, mercifully to sanction our proceedings relative to our said lord the King, prohibiting the King of England and our adversaries aforesaid from further molestation of us. Or, at least, be graciously pleased to enforce for us from them the due requirements of justice."

No answer was returned by the Pope to this appeal—at least no such document appears in Theiner's collection of Letters and Bulls relative to Ireland, lately published by authority of the Holy See; but the original document, with a copy of Pope Adrian's Bull, was forwarded by the Pope to Edward II., together with a letter containing the following passage:—"We therefore, by these presents, earnestly beg of your royal excellency . . . that you will take these matters into your calm, deliberate consideration, and confer upon them with your discreet council, and in this way proceed to command and enforce a just and speedy correction and reform of the grievances aforesaid; . . . so that those Irish people, following more wholesome counsels, may *render you the obedience due to their lord*, or if (which Heaven forbid) they shall be disposed to persist in foolish rebellion, they may convert their cause into a matter of open injustice, while you stand excused before God and man."

Without waiting for further communication either from the King or the Irish, the Pope issued Bulls to the Irish archbishops, desiring them to excommunicate all those who had taken up arms with Bruce in Ireland, and all those who, either openly or in secret, furnished them with counsel, weapons, horses, money, or any other aid, in their opposition to the Pope's most dear son Edward, the illustrious

King of England. The Bulls desired that all such persons should be shunned as under the ban of the Church, and commanded the clergy of Ireland to read aloud the sentence of excommunication every Sunday and festival with lighted candles and tolling of bells, in such places as they should deem expedient, but especially in the seaports.

Thus the Church again supported the cause of England against the native Irish, as it had opposed the national resistance in Scotland. But, if the hierarchy of the Church abandoned the native Celts, that portion of the regular clergy, most intimately acquainted with the condition of the people, stood by them in the struggle. The poor brethren of St. Francis stimulated their countrymen in their efforts, and proved so formidable to the English government, that two of the English friars of the order, one of whom was the head of the order in Ireland, were despatched by the King to their general minister, to require that the Irish friars should be canonically suppressed.

In May, A.D. 1315, Edward Bruce landed near Carrickfergus with 6000 men, and accompanied by many of the best soldiers in Scotland. Amongst his followers we find Randolph, the Earl of Moray, and the well-known names of De Mowbray, Menteith, Soulis, and Lord Allan Steward. At this date the earldoms of Ulster and Connaught were united in the person of the great De Burgo, known as the Red Earl, under whose command the colonists of eastern Ulster encountered Edward Bruce on the Bann, and were utterly defeated. Dundalk and the town of Carrickfergus were immediately captured, the castle of the latter place still holding out. The Red Earl was again defeated by Bruce close to the town of Connor, near the present town of Ballymena. Edward Bruce, who had been crowned king by his adherents, having left a force to carry on the siege of the castle of

Carrickfergus, wintered in Westmeath, whence, in the ensuing spring, he advanced southward, and defeated the Viceroy, De Boutiller, at Ardsull, in Kildare. He thence proceeded through Leinster, captured the castle of Ley, near Portarlington, and totally defeated at Kells the army of De Mortimer, lord of a moiety of Meath. The allied Scotch and Irish, though suffering great losses from famine and exhaustion, wasted and destroyed the lands of the Anglo-Normans in Meath and Kildare, and returned in spring to Carrickfergus, where Edward Bruce held a regal court. Towards the close of A.D. 1316, Robert Bruce arrived with reinforcements, and the castle of Carrickfergus was captured shortly afterwards.

In the spring of A.D. 1317, the Bruces, accompanied by their Irish allies, set out southwards upon a progress round Ireland, with the intention of utterly extirpating the Anglo-Norman colony. The nature of this warfare is briefly described by friar John Clyn, a devoted English partizan :— “*Item*, in the same year, about Christmas, arrived Lord Robert le Brus, who pretended to be King of the Scotch, passing across through the whole land of Ulster, where he landed, almost to Limerick ; burning, slaying, plundering, sacking towns, castles, and even churches, going and returning.” They arrived near Dublin, and captured the castle of Knock. After a few days’ sojourn at Leixlip, they marched through Naas, Castledermot, Gowran, Callan, Cashel, and Nenagh, where he wasted the estates of the Viceroy de Boutilier; thence to Castle Connell, and back, through Kells in Ossory and Trim, to Ulster.

Some writers have hesitated to attribute to Robert Bruce the merciless destruction with which this campaign is said to have been attended; but knightly courtesy and chivalry were perfectly consistent with great barbarity, and the mode

of conducting this war exactly resembles that adopted by Wallace in England, and by the English themselves repeatedly in Scotland. The peculiar havoc produced in Ireland arose from the protracted nature of the struggle and the inability of those who were expelled from their homes, again to take possession.

Robert Bruce after this campaign returned to Scotland, leaving a Scotch army under the command of his brother. The colonists now made strenuous efforts to assemble a force, and took up a position between Faughard and Dundalk, at the mouth of the pass subsequently so well known in Irish wars. The English forces were commanded by the celebrated Jean de Birmingham, between whom and Edward Bruce was fought the battle which decided the fate of Ireland. Bruce's chief counsellors earnestly dissuaded him from engaging forces so superior; but rendered confident by eighteen successive victories, he declared he would fight, even were the enemy three or four times stronger; and that none should say he was daunted by numbers. The issue of the celebrated battle is well known. Bruce and his chief officers were slain, but the mass of his army escaped into Scotland.

It has been frequently asserted that his Irish confederates did not support the king whom they had chosen. The Rev. Mr. Butler, in his introduction to Clynn's Annals, states: "He (Bruce) was not effectively assisted by the native princes. The usual fate awaited him of those who, for their own aggrandizement, interfere in the civil dissensions of a foreign country. The objects of the parties are different, and each hopes to use the other only so far as may promote their own purposes. The Irish princes did not fight to change their masters, but to secure their independence, and they were no more willing to submit to a

Scoto-Norman than to an Anglo-Norman baronage." This is scarcely consistent with the following passage of his author:—"In the same time the Scots landed in Ulster, to whom, during the whole time they were in Ireland, almost all the Irish of the land adhered, very few preserving faith and fidelity" (to the English king).

But whatever was the conduct of Bruce's Irish allies, the Irish people bore in memory the desperate cruelties inflicted, and miseries suffered during this prolonged struggle, which evil memories were inseparably connected in the popular mind with the name of the chivalrous and brilliant, but most unfortunate, Edward Bruce. In speaking of his death, the Irish Annals of Clonmacnoise declare that he was slain "to the great joy and comfort of the whole kingdom in general, for there was not a better deed that redounded more to the good of the kingdom, since the creation of the world, and since the banishment of the Finè Fomores out of this land, done in Ireland, than the killing of Edward Bruce; for there reigned scarcity of victuals, breach of promises, ill performance of covenants, and the loss of men and women, throughout the whole kingdom, for the space of three years and a half that he bore sway; insomuch that men did commonly eat one another, for want of sustenance, during his time."

Meanwhile, two bye-battles between the Anglo-Normans and the native Celts had been fought in other parts of the country. The entire clan of the O'Connors was defeated, if not annihilated, in the battle of Athenry by the Norman barons under the command of Richard de Birmingham, but the Anglo-Normans were not so successful in South Leinster, where they were defeated by O'Carrol of Ely, nor again in North Munster, where the O'Briens defeated and slew Richard De Clare at the head of an army of Norman

settlers and Irish retainers in the decisive battle of Dysart O'Dea.

Thus, upon the whole, the Anglo-Normans emerged triumphant from the struggle; but though the Scotch and western Irish were defeated, though Edward Bruce's head had been exposed in Westminster, though no organized native or Scotch force remained in Ireland, the English colonists suffered such serious losses, their social system was so disorganized, and their power so thoroughly shaken, that within fifty years the English were compelled to abandon the project of finally conquering Ireland, and to adopt the policy embodied in the Statute of Kilkenny, hereafter described.

The condition of the English Settlement, and the sufferings of the poorer classes of the English freeholders, which form the true strength of every society, are described by the Rev. Wm. Butler, in his introduction to Clynn's Annals, as follows:—"Many generations passed before the devastating effects of the Scottish invasion, passing thus like a stream of lava through the country, were done away. The animosity between the English and the Irish was embittered, the sense of the greatness of the English power was diminished, the authority of law and order was impaired, the castle and the farm-house were alike ruined. The castle was more easily rebuilt than the more important farm-house. The noble may have had other resources: in later times we know that his castle was repaired at the expense of the district; he was bound by stronger ties to the country; and when his castle was rebuilt, it was at least comparatively secure: but when the homestead was wrecked and burned, and the haggard robbed of its stacks, and the bawn left without horse or cow, and 'all his gear were gone,' the farmer, as he looked about him in despair, might well be ex-

cused if he fled away to some safer country ; or if, listening to hunger, that evil counsellor, he became an idleman or a kerne, ready to plunder, as he had been plundered, and eating up the produce of other men's labours.

“ If he endeavoured to remain, what was before him, but, poor and dispirited, deprived of his accustomed comforts and of his comparative respectability, to sink hopelessly into a lower stage of society, and to yield to its customs ; or rather to turn in sullen or in passionate anger from the civilization in which he no longer had a share, and to resent, as an injury, the existence of comforts which had been his once, but were to be his no more, and to hate and to scorn their possessors ?

“ Such, doubtless, was the history of the degradation of many English freeholders, consequent upon the Scottish invasion ; nor could the degradation be limited to the retainer alone. In a country in which there is no foreign interference, no rank of society can stand apart from others, and in proportion to its height it needs the more numerous supporters. The castle walls can no more keep out the influence of the social maxims and principles of the lower ranks of the people, than they can keep out the contagion of their diseases, and the lord necessarily partook of the degradation of the vassals.

“ To the Scottish invasion, then, may, at least partly, be ascribed the barbarism and the consequent weakness of the English in Ireland during the greater part of the fourteenth and the whole of the fifteenth century. In the thirty years that elapsed between that event and the close of Clyn's Annals, that barbarism had made great progress. The power of the central government grew weaker ; the lords, whether of Irish or of English blood, became more independent and irresponsible, and, consequently, more arbitrary

and tyrannical ; and private feuds, resulting in open violence, became of more frequent occurrence. The control of law nearly ceased, and little remained, as a rule of conduct, except the will of the stronger. It then became a question whether this anarchy should continue, or whether it should result in the prevalence of either the English or the Irish system, or, as seemed more probable and more reasonable, whether some third system should not be developed, formed from the amalgamation of these two, and the natural growth of the circumstances of this country."

During the ensuing fifty years events rapidly succeeded, which show this disorganization of the social system of the English colony, and continually increasing feebleness of the government. In the parliament held in Dublin by Sir Jean D'Arcy, in A. D., 1323-4, the lords there assembled undertook, before the next parliament, to arrest, or cause to be arrested, all felons and robbers of their families or surname, with their adherents in the neighbourhood, and to make them and other malefactors in their lordships amenable to the King's courts, with due regard to their own oaths, their franchises, and personal safety.

In A. D. 1327 the English government wrote to their Viceroy, that as the Irish enemies and English rebels were ravaging the royal lands and those of the absentees who provided no sufficient defence for their estates, the proprietors of castles on the march should be directed to take measures for defence. In the event of their non-compliance, the Viceroy was directed to take possession of the castles, and maintain them out of their receipts as he deemed most advantageous.

The same year the Leinster Irish elected as King Donal MacMurrough, who at one time advanced to within two miles of Dublin.

The violent dissensions of, and outrages committed by, the colonists rendered any concerted defence impossible, and caused some families to abandon their allegiance. In A. D. 1329, Jean de Birmingham, the victor of Faughard, was murdered by his own English vassals of the county of Louth. With a view of exterminating the kindred of the De Birminghams, they slew not only their lord himself, but also his brothers, nephews, and retainers, to the amount of two hundred. The Norman families in the county of Louth, when summoned to answer for this crime, refused to appear before the King's court, and resisted the Sheriff when directed to attach them for contempt. The armed force of the loyal inhabitants of Louth failed to execute the writ, and the murderers remained unpunished.

The events of the year 1329 are thus summed up in Cox's history :—

“ Sir John Darcy, Lord Justice, in whose time Macoghegan of Meath, and other Irishmen of Leinster, O'Bryan of Thomond, and his confederates in Munster, broke out into rebellion ; and yet this common calamity could not unite the English, although their own experience had taught them (and frequent instances have convinced the succeeding ages since) that the English never suffered any great loss or calamity in Ireland, but by civil dissensions and disagreement among themselves. When the Earl of Louth, and many other of the Birminghams, Talbot of Malahide, and an hundred and sixty Englishmen, were murdered by the treachery of their own countrymen, the Savages, Gernons, &c., at Balibragan, in Urgile ; and when the Barrys and Roches in Munster did as much for James Fitz-Robert Keatinge, the Lord Philip Hodnet, and Hugh Condon, with an hundred and forty of their followers ; what wonder is it if Macoghegan defeated the Lord

Thomas Butler and others near Molingar, to their loss of an hundred and forty of their men ? Or if Sir Simon Genevil lost seventy-six of his soldiers in Carbry, in the county of Kildare; or if Brian O'Bryan ravaged over all the country, and burnt the towns of Athessel and Typerary."

Into this state had the English Government allowed Ireland to fall, and such was the country from which they were still endeavouring to draw supplies for the Scotch wars.

In A. D. 1331, the Viceroy, unable himself to repel the Irish, aggravated the confusion by calling on the Earl of Desmond for assistance ; for, being unable to pay the Munster army, he was obliged to permit their leader to quarter them upon the colonists, and to take coigne and livery, that is, to exact money and food for men and horses without any payment.

In the same year, the English Parliament attempted the reform of Ireland. The existence of Irish not subject to the King had previously been ignored by the English Government: now at last they were compelled to recognize this fact, and provide for it by legislation. Their views of reform did not, however, proceed beyond the enforcement of the principles of feudal law, and they imagined that an Act of Parliament, passed for the benefit of all, would be acquiesced in by both the Anglo-Normans and the Celts. By the ordinances passed on this occasion the power of the Viceroy and others to grant pardons was restricted. One and the same law was declared applicable to both Irish and English, with the exception of serfs in the power of their lords, in the manner used in England in the case of villeins. The Viceroy was restrained in granting custodies and wardships: sheriffs and coroners were to be elected by the county courts, and in no other way; no protections

were to be granted by the Viceroy or by any nobleman ; truces made and to be made between the English and Irish should be observed, and neither party should do injury to the other during the truce, and whosoever did so should be treated as a felon ; all officers of the King, accountable in Ireland, and not having lands and property in Ireland, should give security to answer the King ; no person should keep kern or idle men except on his own estates and for his defence ; all who had land and tenements in Ireland, as well religious as lay, should be admonished to reside upon them, or to place sufficient guard in them before the feast of St. Peter, and, in default of so doing, the King should seize the lands into his own hands, and provide for the defence ; none of any rank or condition should maintain, foster, or defend the Irish, or any one breaking the King's peace, and whoever did so should be esteemed a felon.

The policy of these ordinances may be called Imperialism. They attempted to establish English ideas and laws among a totally dissimilar people, to bring about a unity of the two countries, by extending to and enforcing in Ireland English law and government. But such a policy must be maintained by force, or be preceded by a complete conquest. As the English Government in Ireland could scarcely maintain its own existence, and the English King neither attempted nor was able to reduce the native Celts to obedience, this Act, like many other Irish enactments, never had any practical results.

In 1333, a large portion of Ireland was suddenly lost to the English, in consequence of the assassination of the last direct male representative of the great house of De Burgo. The Red Earl had been succeeded by his grandson, William, in the earldoms of Connaught and Ulster. One-fourth of the English territory, vested in him as sole feudal pro-

priotor, gave to William, the “Brown Earl,” a military force which was the greatest obstacle to the efforts of the western and northern Irish to establish their autonomy. By the accident of his death, this vast district was suddenly thrown into the hands of the most uncompromising opponents of English rule. On the 6th of June, 1333, William De Burgo was assassinated at Carrickfergus by Richard De Mandeville, an Ulster noble, his own uncle by marriage. His immense estates passed, according to English law, to his infant daughter, subsequently the wife of Lionel Duke of Clarence, son of Edward III. The junior branches of the house of De Burgo and the feudal vassals of Connaught, however, refused to be treated as so much landed property, and rejected as their feudal head an infant girl, who had been removed by her mother to England. They clearly saw the consequences of such a step : they could not remain the subjects of the English Crown, and reject the unquestionable rights of the King to the wardship of the minor. The refusal to admit the claims of the heiress were equivalent to an entire renunciation of English law and rule, and could only be effected by the open adoption of Irish customs, and an intimate alliance, upon this basis, with the native tribes. This design was at once carried out by the two chiefs of the cadet branches of the De Burgo family.

Sir William and Sir Edward De Burgo, the ancestors respectively of the Earls of Clanrickarde and Mayo, occupied and divided between themselves the lordship of Connaught, comprising the present counties of Galway and Mayo. Combining with the Irish clans, they solemnly renounced the allegiance of England, and adopted the Irish language, apparel, and laws. On the banks of the Shannon, in sight of the royal garrison of Athlone, they stripped

themselves of their Norman dress and arms, and assumed the saffron robes of Celtic chieftains.

Sir Edmund De Burgo assumed the title of M'William Iochtar, the son of William of the upper territory, and lord of the town of Galway. Sir William De Burgo styled himself M'William Uachtar, or of the lower district. These patronymics, ever after used by their descendants, were taken from the name of their father, Sir William De Burgo, the Viceroy in 1308.

At the same time the territory of Eastern Ulster was lost to the English Crown. This district had suffered most severely during the invasion of Edward Bruce; its castles had been ruined, and the colonial population almost destroyed. Under these circumstances the sept of the O'Neills, known as "Clan Aedha Buidhe," or the tribe of Hugh the Red, crossed the Bann, expelled the remaining settlers, and established for themselves a principality, known as Claunabuy. In Antrim, formerly the residence of the great Earls of Ulster, there was found in the sixteenth century a compact Celtic population, which offered a protracted and long successful resistance to fresh floods of English colonists.

In A. D. 1337, Edward III. attempted to remodel the Irish Government by committing it to officials accustomed to the management of the Welsh; but this measure appears not to have been attended with any beneficial results.

In A. D. 1338, Edward III., in still further pursuance of this policy, decreed that none but Englishmen should be admitted to any legal office under the Crown in Ireland. The effects of this ordinance were the very opposite of what the King had anticipated. The Irish officials had been corrupt, and jobbed for the benefit of their friends. The pure-bred English legal administration, like the officials in

the eighteenth century sent to India by the East Indian Company, plundered for themselves, and matters became rather worse than before.

Events now rapidly following in succession show the weakness of the English Government. The Connaught septs captured the three royal castles of Athlone, Roscommon, and Randoun. The south-east of Leinster, from Carlow to the sea, passed into the hands of O'Byrnes, O'Tooles, and Mac Murroughs. Lisagh O'Moore captured the castle of Dunnamaise, and established himself in the Queen's County. The colonists of the County Louth, unable to protect themselves, entered into a separate treaty with the chief of the O'Hanlons. This arrangement was actually approved of by the King of England, and imitated by the Irish Government, who covenanted to pay out of the public exchequer an annuity to the chief of the Mac Murroughs to secure his neutrality.

At this period Edward III., pressed to meet the expenses of his Continental wars, attempted to raise money from his unfortunate Anglo-Norman subjects in Ireland. After various feeble tentatives of administrative reform, he issued, in A. D. 1341, the following writ:—"Whereas, expressive grants of lands, tenements, and liberties in Ireland, have been made, as well by Edward II. as by the present King, upon untrue and deceitful suggestions of petitioners, the King, desirous to baffle deceitful machinations of this nature, by the advice of his council, has thought fit that all grants of lands, tenements, and hereditaments, such as aforesaid, should be revoked until he be made certain of the merits of the grantees, the causes and conditions of the grants; and, therefore, the Justiciary of Ireland (Viceroy) is ordered to cause all aforesaid lands, tenements, &c., to be seized into the King's hands."

An estate in Ireland, at this period, can have had no appreciable money value. It entailed responsibilities and duties, but returned little profit. The sole object of this writ must have been to raise money, by compelling the several grantees to compound by means of fines. As if desirous that no class of the community should escape from the royal exactions, a writ was issued, ordering that all pardons and suspensions of the King's debts, that were by green wax or otherwise, except pardons or releases under the Great Seal of England, should be vacated.

The natural result of these measures was the universal discontent of the Anglo-Norman population. The exclusion from office of Irish-born subjects produced dissensions between the English by blood and the English by birth. The resumption of previous grants, and the re-levying of Crown debts previously discharged, excited the entire Anglo-Norman population.

The Earls of Desmond, and the chief nobles of the colony, refused to attend the Parliament summoned to meet in Dublin in October, 1341. They convened a meeting at Kilkenny in the succeeding month. This meeting sent messengers to the King with their complaints, couched in the three following queries :—

First—How a realm of war could be governed by a man unskilled in all warlike service ? Second—How an officer under the King, that entered very poor, could in one year heap up more wealth than men of great estates in many years ? Third—How it chanced, since they were all called lords of their own, that the sovereign lord of them all was never the richer for them ?

At the same time they despatched to the King a memorial in French, representing that the Irish enemy had retaken more than one-third of the lands which had yielded

revenue to the King's predecessors, and had captured and destroyed many castles, the chief defence of the English; that the Anglo-Normans were reduced to such a state of poverty, that they could not exist unless some remedy was devised. The loss of the Crown revenues was ascribed no less to the incessant war, than to the embezzlement and extortions practised by English-born officials, who defrauded the constables of the royal castles; entrusted their custody to incompetent warders, or to those who employed deputies, merely to extort fees; charged the Crown for goods and valuables taken for its use, but for which they never paid; entered in their accounts salaries to governors of castles which were either demolished, in the hands of the enemy, or had never existed; and exacted money from the King's subjects on various pretences. In addition to the complaints of the local executive, the petitioners represented that many districts of the colony had been ruined, as the proprietors never came thither from England, nor made any expenditure towards their maintenance, but sought, by setting them to farm, to extract all the money they would yield. They concluded by appealing against the injustice of resuming lands and grants given to them and their progenitors in return for services, and insisted that they should not be deprived of their freeholds without being called to judgment in accordance with the great charter.

Edward III. was constrained to comply with this petition; but coupled his consent with a request for further assistance in his French wars, and, as a remedy for the state of Ireland, issued another series of utterly useless ordinances.

In A. D. 1349, the English Viceroy, scarcely able to hold out in Dublin, entered into negotiation with the border

septs, and hired a chief of the O'Tooles to protect the English borders about Tallaght, and in certain parts of the county Wicklow. As to the less amenable chiefs, rivals were hired to dispute their authority in their clans, and rewards were offered for their capture or assassination. For the protection of the English district, constant assessments were levied, and the colonists perpetually kept under arms. The English population naturally began to quit Ireland to such an extent, that, in A.D. 1353, the King, by a proclamation, forbade the departure from Ireland of any ecclesiastic, noble, or able-bodied man, capable of defending the country; the penalty of forfeiture was decreed against any English subject who should quit Ireland without special licence. On this occasion the Archbishop of Armagh was specially noticed as an absentee, who spent his revenue abroad, instead of devoting it to fortifying and defending the lands of his See, then invaded by the Irish. Meanwhile the native Celts proceeded to elect kings and chiefs according to their ancient customs, observed the Brehon law, and utterly ignored the existence of an English Government. Many of the more important Anglo-Norman houses—such as the De Burghs, Le Poers, St. Aubyns, De Roches, De Cantellons—seceded from the English Government, and many more further wholly assimilated themselves to the Celtic population.

In A.D. 1361, Lord Lionel, Duke of Clarence, came over as Viceroy, nominally to save the English subjects in Ireland from utter destruction; but also, probably, with a view of obtaining possession of the large Irish estates, which he claimed in right of his wife, the heiress of the last De Burgo. For the purpose of this expedition, on July 2, 1361, proclamation was made in England that all those who held property in Ireland should at once proceed

thither in arms, or send representatives to dwell upon their estates, and to aid the prince in defending their lands against the enemy; and that all Crown lands occupied by the Irish, and demesnes, whose proprietors should be absentees at the date of the prince's arrival, should be seized, and granted for ever, in the King's name, to English subjects who would dwell upon and defend them.

The Duke of Clarence landed in Ireland with a considerable and highly-paid force of English soldiers experienced in the French wars. Confident in the native English force which accompanied him, he issued a proclamation that none of the old English should join his army, or approach his camp. The conduct of the war in Ireland by him was such that, on 10th February, 1362, the King issued a writ declaring that his very dear son, and his companions in Ireland, were in imminent peril from the daily increasing strength of the enemy, and again ordering the absentee lords to appear at Westminster in the second week of Lent to receive instructions as to an expedition into Ireland.

Matters gradually arrived at such a condition in Ireland that the English Government apparently resolved to adopt a new line of policy. From the ordinance of A. D. 1331, the King appears to have discovered the existence of an independent Celtic population which rejected the rule of the English Crown, and had attempted to legislate for them. In A. D. 1366, the English had further discovered that the Celtic population and the degenerate Anglo-Normans paid not the slightest regard to the ordinances or overtures of the English King, and finding it totally impossible to conquer them, resolved to adopt a simply defensive policy, to confine its efforts to the maintenance of English law and custom in the districts which were still loyal, and to treat

the Celtic Irish and degenerate Anglo-Normans as foreigners, leaving them altogether to their own devices. This policy was embodied in the celebrated Statute of Kilkenny.

This remarkable Act has been represented as an attempt to enforce English customs upon the reluctant Celts. M. De Lolme describes it as a declaration of perpetual war against those persons and chieftains of the English race who were settled up and down the country, and had been more or less necessitated to adopt Irish customs and laws. Mr. Plowden writes of this Statute :—“ Imagination can scarcely devise an extreme of antipathy, hatred, and revenge, to which this code of aggravation was not calculated to provoke both nations.” Authors who have expressed such opinions probably had not the advantage of having ever read the Statute, since it does not appear, from the reign of James I., to have been seen by any of the writers on Irish affairs, who, as a rule, have made use of the synopsis contained in Sir John Davis’s works. The original, lent out of the Rolls Office in A.D. 1639, was not returned, and the Act does not appear in the Irish Statute Book. The original French text (with a translation, and most valuable notes) was published for the first time in A. D. 1843, by the Irish Archaeological Society, from a transcript in the Lambeth Library.

It must be premised that the Act applied only to the districts still remaining loyal to the English Crown, subsequently known as the Pale. The English Pale, originally denominated “ The English Land,” to distinguish it from the surrounding territories possessed by the mere Irish, did not designate any definite district, but meant the territory in which the King’s writ ran, and which was *de facto* subject to the enactments of the Irish Parliament. This district fluctuated in extent from time to time, continually decreasing, until in A.D. 1515 its limits were as follows :—Taking

Dundalk as the starting point, the frontier ran through Denver, Ardee, Sydan, Kenlys, Dengle, to Kilcock ; thence to Naas, Kilcullen, and Ballymore-Eustace, whence it turned backward to Rathmore, and passed through Tallaght to Dalkey.

The scope and intention of the Act appear sufficiently from the preamble.

“ Whereas at the conquest of the land of Ireland, and for a long time after, the English of the said land used the English language, mode of riding and apparel, and were governed and ruled, both they and their subjects called Betaghes, according to the English law, in which time God and holy Church, and their franchises according to their condition were maintained [*and themselves lived*] in [*due*] subjection ; but now many English of the said land, forsaking the English language, manners, mode of riding, laws and usages, live and govern themselves according to the manners, fashion, and language of the Irish enemies ; and also have made divers marriages and alliances between themselves and the Irish enemies aforesaid ; whereby the said land, and the liege people thereof, the English language, the allegiance due to our lord the King, and the English laws there, are put in subjection and decayed, and the Irish enemies exalted and raised up, contrary to reason ; our lord the King considering the mischiefs aforesaid, in consequence of the grievous complaints of the commons of his said land, called to his Parliament held at Kilkenny, the Thursday next after the day of Cinders [*Ash Wednesday*], in the fortieth year of his reign, before his well-beloved son, Lionel Duke of Clarence, his lieutenant in the parts of Ireland, to the honour of God and of His glorious Mother, and of holy Church, and for the good government of the said land, and quiet of the people, and for the better obser-

vation of the laws, and punishment of evil doers there, are ordained and established by our said lord the King, and his said lieutenant, and our lord the King's counsel there, with the assent of the archbishops, bishops, abbots, and priors (as to what appertains to them to assent to), the earls, barons, and others of the commons of the said land, at the said parliament there being and assembled, the ordinances and articles under written, to be held and kept perpetually upon the pains contained therein."

For the purpose of preventing connexions between the English of the Pale and the native Celts, it was provided by section 2 that—

" No alliance by marriage, gossipred, fostering of children, concubinage, or by amour, nor in any other manner, be henceforth made between the English and Irish of one part, or of the other part; and that no Englishman, nor other person, being at peace, do give or sell to any Irishman, in time of peace or war, horses or armour, nor any manner of victuals in time of war; and if any shall do to the contrary, and thereof be attained, he shall have judgment of life and member, as a traitor to our lord the King."

To prevent the adoption by the English of Irish customs, language, and dress, section 3 enacts that—

" Every Englishman do use the English language, and be named by an English name, leaving off entirely the manner of naming used by the Irish; and that every Englishman use the English custom, fashion, mode of riding and apparel, according to his estate; and if any English, or *Irish living amongst the English*, use the Irish language amongst themselves, contrary to this ordinance, and thereof be attained, his lands and tenements, if he have any, shall be seized into the hands of his immediate lord, until he shall

come to one of the places of our lord the King, and find sufficient security to adopt and use the English language, and then he shall have restitution of his said lands, by writ issued out of the said places. In case that such person shall not have lands or tenements, his body shall be taken by any of the officers of our lord the King, and committed to the next gaol, there to remain until he, or some other in his name, shall find sufficient surety in the manner aforesaid : And that no Englishman who shall have the value of one hundred pounds of land or of rent by the year shall ride otherwise than on a saddle in the English fashion ; and he that shall do to the contrary, and shall be thereof attainted, his horse shall be forfeited to our lord the King, and his body shall be committed to prison, until he pay a fine according to the King's pleasure for the contempt aforesaid ; and also, that beneficed persons of holy Church, living amongst the English, shall use the English language ; and if they do not, that their ordinaries shall have the issues of their benefices until they use the English language in the manner aforesaid ; and they shall have respite in order to learn the English language, and to provide saddles, between this and the feast of Saint Michael next coming."

The object of compelling the use of saddles was to prevent the English horsemen abandoning the use of the lance couched under the arm, according to the English and French fashion, and degenerating into cavalry armed like the Irish, who held their lances by the middle, and used them frequently as javelins.

To prevent the adoption of Brehon law by the English living along the marches or within the Pale, and to restrain the constant quarrels between the English by blood and the English by birth, section 4 was enacted :—

“ Also, whereas diversity of government and different

laws in the same land cause difference in allegiance, and disputes among the people; it is agreed and established, that no *Englishman*, having disputes with *any other Englishman*, shall henceforth make caption, or take pledge, distress, or vengeance against any other, whereby the people may be troubled, but that they shall sue each other at the common law; and that no Englishman be governed in the termination of their disputes by March law nor Brehon law, which reasonably ought not to be called law, being a bad custom; but they shall be governed, as right is, by the common law of the land, as liege subjects of our lord the King; and if any do to the contrary, and thereof be attainted, he shall be taken and imprisoned, and adjudged as a traitor; and that no difference of allegiance shall henceforth be made between the English born in Ireland, and the English born in England, by calling them English hobbe, or Irish dog, but that all be called by one name, the English lieges of our lord the King; and he who shall be found [*doing*] to the contrary, shall be punished by imprisonment for a year, and afterwards fined, at the King's pleasure; and by this ordinance it is not the intention of our lord the King [*but*] that it shall be lawful for any one that he may take distress for service and rents due to them, and for damage feasant as the common law requires."

The taking of pledges and distress, mentioned in this section, evidently refers to the initiatory procedure of a Brehon lawsuit, by which the defendant was compelled to submit to the arbitration of the Brehon.

The colonists appear to have abandoned the use of the bow, whereby the English forces lost their most material advantage over their Celtic antagonists. To obviate this, section 6 was enacted:—

“ Also, whereas a land, which is at war, requires that

every person do render himselfe able to defend himself, it is ordained, and established, that the commons of the said land of Ireland, who are in the different marches at war, do not, henceforth, use the plays which men call hurlings, with great sticks [*and a ball*] upon the ground, from which great evils and maims have arisen, to the weakening of the defence of the said land, and other plays which men call quoiting; but that they do apply and accustom themselves to use and draw bows, and throw lances, and other gentlemanlike games, whereby the Irish enemies may be the better checked by the liege people and commons of these parts; and if any do or practise the contrary, and of this be attainted, they shall be taken and imprisoned, and fined at the will of our lord the King.

It has been already remarked in an earlier Lecture that, according to the principles of law then existing in Europe, all the members of a sept would have been considered responsible for the debts of any single member, and the creditor could have obtained from the English Government a right of reprisal. To prevent hostilities arising out of transactions of this nature, section 11 enacts that—

“ If any Irishman, being at peace, by borrowing, or purchase of merchandize, or in any other manner, become debtor to an English or Irishman being at peace, that for this cause no other Irish person belonging to him, under him, or in subjection to him, nor his goods, shall be seized nor ransomed for such debt, if he be not surety for the same debt; but his remedy shall be against the principal debtor, as the law requires. Let him be well advised to give his merchandize to such person as he can have recovery from.”

This is a very remarkable section in advance of the general legislation of the times, and the more so since, according to Irish Brehon law, the whole sept was liable for the

offence of an individual member. It is a proof of the extreme desire of the framers of this Statute to prevent hostilities between the two nations. This section was, however, repealed in 16th Edward IV. (Irish), A.D. 1476.

It was the custom of the native Irish that the tribal cattle should be driven out to pasture in the woods during the summer season. The whole herd was removed to fresh land from time to time, according as they consumed the pasturage. A similar custom still prevails in Norway, where the cattle are driven from the summer pasturage to the fjelds. The cattle were, in fact, accompanied by the tribe, who erected temporary huts, where they made their butter during the fine season; the temporary hut was called a *buaile*, whence the custom itself was called *buailidheacht*. To prevent the introduction within the Pale of Celts not subject to the King, and at the same time to obtain the acquiescence of the Irish in this arrangement, it was enacted by section 12 that—

“ In every peace to be henceforth made, between our lord the King and his liege English of the one part, and the Irish of the other part, in every march of the land, there shall be comprised the point which follows, that is to say, that no Irishman shall pasture or occupy the lands belonging to English, or Irish being at peace, against the will of the lords of the said lands; and if they so do, that it shall be lawful for the said lords to lead with them to their pound the said beasts so feeding [or] occupying their said lands, in name of a distress for their rent and their damages, so that the beasts be not divided or scattered as heretofore has been done; but that they be kept altogether as they were taken, in order to deliver them to the party in case that he shall come to make satisfaction to the lords of the said lands reasonably, according to their demand; and in case any one

shall divide or separate from each other the beasts so taken, he shall be punished as a robber and disturber of the peace of our lord the King : and if any Irish rise by force to the rescue of those reasonably taken, that it be lawful for the said English to assist themselves by strong hand, without being impeached in the court of our lord the King on this account ; and that no Englishman do take any distress upon any Irishman of any part between this and the Feast of St. Michael next to come ; so that the Irish of every part may be warned in the meantime.”

This remarkable clause, which indicates the utmost desire to prevent any conflict with the Irish, has continually been represented as an act of tyranny towards the native Irish. It is obvious that those who have made such criticisms upon this section have only read the synopsis of the Act in Sir John Davis’s work, for the section itself does not make it penal for the English to permit the Irish to graze on their lands. It, on the contrary, provides that arrangements shall be made between the Irish and English to prevent the Irish depasturing lands belonging to a subject of the English Crown, against the will of the lord of the land ; and further provides that if the Irish committed a trespass of that description, their cattle should be kept safely for them until they had made reasonable compensation.

Sections 13 and 14 prohibit any Irishman being inducted into a living, or received into a monastery ; but these sections are specially confined to benefices and religious houses situated among the English.

Section 15 is the celebrated section, represented as aiming at the suppression of the Irish bards. Its real object was to prevent the introduction of Irish spies into the English territory. This appears upon the face of the section itself :—

“ Also, whereas the Irish agents who come amongst the English, spy out the secrets, plans, and policies of the English, whereby great evils have often resulted ; it is agreed and forbidden, that any Irish agents, that is to say, pipers, story-tellers, babblers, rimers, mowers, nor any other Irish agent shall come amongst the English, and that no English shall receive or make gift to such ; and that he that shall do so, and be attainted, shall be taken, and imprisoned, as well the Irish agents as the English who receive or give them any thing, and after that they shall make fine at the King’s will ; and the instruments of their agency shall forfeit to our lord the King.”

By Section 17 the English subjects were restrained from keeping “ kerns, hoblers, or idlemen,” except those who dwelt on the marches, who were required to do so at their own expense.

The desire of the framers of this Act to preserve peace between the inhabitants of the Pale and the Irish, and, for such purpose, to prevent acts of violence by the English upon the marches, is shown by section 26, which is as follows :—

“ Also, it is ordained that if truce or peace be made by the justices, or wardens of the peace, or the sheriff, between English and Irish, and they shall be broken by any English, and thereof be attainted, he shall be taken and put in prison until satisfaction be made by him to those who shall be disturbed [*or*] injured by that occasion, and he shall moreover make fine at the King’s will ; and if there is not wherewith to make restitution to those who shall be injured, he shall remain in perpetual confinement. And such wardens and sheriffs shall have power to inquire concerning those who shall have broken the peace.”

A fair analysis of the Act leads to the conclusion that the

English Government, at this time, abandoned the prospect of reducing to obedience the Irish and degenerate English, and, adopting a policy purely defensive, sought merely to preserve in allegiance to the English Crown the miserable remains of the Irish kingdom. The policy of the Act, if steadily carried out, might have been advantageous to both the English and the Irish in Ireland; but it required a vigorous executive and a standing police, both of which were wanting to the English Government in Ireland, and it was never pursued with any amount of perseverance. It was undoubtedly a retrograde step, and an admission of defeat. A vigorous policy may end in failure, but will not entail dishonour; a feeble policy, feebly and irresolutely conducted, and varied by intervals of spasmodic action, inevitably leads to utter failure and equal disgrace. That such was the conduct of the English Government, during the fifteenth century, and such its results, will appear in the following Lecture.

LECTURE VIII.

THE ENGLISH GOVERNMENT AND POLICY IN IRELAND FROM
A. D. 1366 TO A. D. 1594.

THE effect of the Statute of Kilkenny is thus described by Sir John Davis :—

“ These and other lawes, tending to a general reformation, were enacted in that Parliament ; and the execution of these laws, *together with the presence of the king's son*, made a notable alteration in the state and manners of this people, within the space of seven years, which was the term of this prince's lieutenancy.

“ For all the descources that I have seen of the decay of Ireland do agree in this—that the presence of the Lord Lionel, and these Statutes of Kilkenny, did restore the English government in the degenerate colonies for divers years. And the Statute of the 10th of Henry VIII., which reviveth and confirmeth the Statutes of Kilkenny, doth confirm so much. For it declareth that, so long as these laws were put in use and execution, the land continued in prosperity and honor ; and since they were not executed, the subjects rebelled and digressed from their allegiance, and the land fell to ruin and desolation. And withal, we find the effect of these laws in the pipe-rolls and plea-rolls of this kingdom ; for from the 36th Edward III., when the prince entered into his government, till the beginning of Richard II.

his reign, we find the revenue of the Crown, both certain and casual in Ulster, Munster, and Connaught, accounted for; and that the King's writ did run, and the common law was executed in every of these provinces. I join with these laws the personal presence of the King's son, as a concurrent cause of this reformation. Because the people of this land, both English and Irish, out of a natural pride, did ever love and desire to be governed by great persons. And therefore I may here take occasion to note, that first the absence of the Kings of England; and next, the absence of those great lords who were inheritors of those mighty seigniories of Leinster, Ulster, Connaught, and Meath, have been the main causes why this kingdom was not reduced in so many ages."

That Sir John Davis, the advocate of a strong English government, and an imperial policy, takes a far too favourable view of the practical result of this Statute will appear from what follows: that the Statute was never practically put in execution is shown by the numerous Acts of the Irish Parliament, re-enacting it, in whole or in part; and the position and conduct of the English government nullified the policy which had been advisedly adopted.

"In our land of Ireland," wrote Richard II., "there are three kinds of people—wild Irish, our enemies, Irish rebels, and obedient English. To us and our Council it appears that the Irish rebels have rebelled in consequence of the injustice and grievances practised toward them, for which they have been afforded no redress; and that, if not wisely treated and given hope of grace, they will, most likely, ally themselves with our enemies."

The Irish enemies had now reoccupied a large portion of the feudal estates of the original conquerors, and were perpetually eating into the districts still loyal to the Crown.

They were no longer a broken remnant “compelled to repair, in the hope of saving their lives, to mountainous, woody, swampy, and barren spots.” They had assumed the offensive, and were the more dangerous as their attacks were made from every point, with unconcerted, but unceasing energy. The great difficulty in dealing with them lay in the absence of any government with which the English Viceroy could treat, or central point which he might assail. Such enemies could be disposed of only by complete conquest, almost amounting to extermination, or by a regular and organized resistance along the whole extent of an irregular and indefensible frontier.

The Irish rebels, descendants of the first conquerors, although wholly rejecting the English Government, and now assimilated to the native population, were not actively aggressive, but any attempt to reduce them to obedience could only end in their intimate alliance with the Irish enemy, and an aggravation of the dangers which assailed the colony.

The obedient English may be divided into two classes—the lords of the English Pale, who inhabited portions of the former seigniory of Meath, and the three great lords of Kildare, Desmond and Ormond. The former, by constant ill-government, had been reduced to a state of feebleness and misery. The latter were quite out of the control of the English government, and merely co-operated with it as it suited their convenience. The Desmond still acted as Norman lord in his relations to the English government, but towards his subjects had adopted the position of an Irish chief, and the inhabitants of Munster, under his rule, were completely Celticized. The Kildare Geraldines occupied a somewhat similar position, but their proximity to Dublin brought them into closer connexion with, and more

under the influence of, the English Government. The family of Butler ruled over the large but detached body of English colonists occupying the counties of Kilkenny and North Tipperary—a district originally densely colonized, and containing numerous castles, monasteries, and cities of some importance. James Butler, Earl of Carrick, had married a cousin of Edward III., and in the third year of that King obtained a grant of the regalities and liberties of Tipperary, and the rights of a Palatine in that county. His successors subsequently intermarried with various English heiresses, and acquired vast estates beyond the Channel. The Irish family of Butler, until the execution of the senior branches in the reign of Henry VII., played a conspicuous part in the English civil wars, as the Lancastrian Earls of Wiltshire. Under these circumstances, the Earls of Ormond retained a closer connexion with the English government ; but, at the same time, failed to obtain the same local influence which the chiefs of the Geraldines enjoyed.

Effectually to carry out the policy of the Statute of Kilkenny, it was requisite that the government of the English Pale should possess an organized military force, secure its subjects the benefits of public order and a regular administration, and pursue some consistent course of policy towards the Irish enemies and Irish rebels. But as the wretched executive of the Pale was left wholly unprovided with men or money, the English subjects were harassed by continual military service, and impoverished by exorbitant taxation ; the only efforts to check the Irish tribes being occasional hostings, by which the territory of some sept was devastated, but no permanent result obtained.

The English Government during this period was a source of unmixed evil to the country. The English kings had practically abandoned the exercise of sovereign power in

Ireland ; and the only means by which any government could have been established was the expansion of the local seigniories into small kingdoms. The English executive neither fulfilled the duty of a government nor permitted any other to be established. Their highest aim was self-preservation, and the means by which they sought it were the fomenting of civil war between the barons and chiefs outside the Pale, the rendering of assistance to any pretender who promised to embarrass or depose a tribal chieftain, and frequent razzias, equally barbarous and futile. Under these circumstances, although efforts from time to time were made by the English kings, their government sunk into greater feebleness and contempt, and their decadence is marked by a distinct series of events.

In A. D. 1368, the Irish Parliament, addressing the King, declared that the Irish, with his other enemies and rebels, continued to ride over the country in hostile array, slaying those who opposed them, despoiling the monasteries, churches, castles, towns, and fortresses of the English, without reverence for God or holy Church, to the great shame and disherison of His Majesty, by which his land was likely to be totally lost unless immediate remedy was supplied. In the same year a Parliament at Dublin repeated the ordinary complaints as to the conduct of absentees ; and, in compliance with their advice, a Statute was enacted by the English Parliament, directing the return of all absentee lords to Ireland.

In A. D. 1371, the O'Byrnes having made a descent on Carrickinayne, De Cotton, Dean of St. Patrick's, marched against them with his own retinue and a considerable force, remaining in arms at his own expense on one occasion for eight days ; on another, for a month. The treasury being empty, and none of the King's officers being willing to un-

dertake the defence of Newcastle Mac Kinegan, on the Wicklow frontier, the same warlike dean, raised money by pawning his own goods, and with thirty-six men held the castle for five days.

At a Parliament, summoned in Kilkenny, A. D. 1374, the Viceroy, Sir William de Windsor, officially announced that, in consequence of the expenditure required for *foreign affairs*, the King was no longer able to defray the great cost of maintaining wars for the defence and preservation of his territories in Ireland. Sir Nicholas Dagworth, on behalf of the Crown, solicited a reasonable contribution for the maintenance of the war, the salvation of the land, and the support of its government. But the prelates, lords, and commons excused themselves, and declared that on account of their poverty and inability they could not grant any subsidy. Whereupon the Viceroy, in pursuance of secret instructions, and for the purpose of crushing out all resistance among the loyal English, attempted a *coup d'etat* by issuing writs, requiring the clergy and laity to elect representatives and despatch them at their own expense to England, to consult and agree with the King and his Council on the government and defence of his land in Ireland, and on aid to be levied there in support of His Majesty's war. This attempt to ignore the liberties of the English colony threw the whole country into confusion. The ecclesiastics elected representatives in compliment to His Majesty, but declared they were not bound, agreeably to the liberties, privileges, and customs of the Church and land of Ireland, to elect any of their clergy, or send them to any part of England for the purpose of holding Parliaments. "We do not," they said, "grant, by any means, to the representatives we have elected any power of assenting to burthens or taxes, to be imposed on us or our clergy, to which we cannot yield, by

reason of our poverty and daily expense in defending the land against the Irish." The nobles and commons also declared they were not bound to send representatives to England, and reserved to themselves the power of agreeing to subsidies.

The colonists, while holding debate upon their constitutional rights, were simultaneously assailed on every side by the "enemies" and the "rebels." Newcastle, on the Wicklow frontier, was taken and dismantled. Communication by land with Wicklow being cut off, relief had to be sent to the garrison by sea. The O'Briens appeared before Limerick; Youghal was attacked by the clan Gibbon and the De Roches; Adare was burned; the Viceroy feared to proceed southward; and the Bishop of Meath was sent with relief to the remaining colonists of Munster. The war was carried on by forced loans, and by exacting supplies from the wretched peasantry. The English men-at-arms and archers disbanded, and attempted to return to England, but were prevented from so doing by orders for their arrest, sent to the seaport towns.

The reign of Richard II. opened with still greater humiliation and disaster. An ordinance appears on the Rolls of the English Chancery in Dublin, whereby, after reciting that Art Mac Murragh Cavanach, assuming to be chief captain of the Irish in Leinster, and claiming eighty marks a year from the King of England as his fee, had assembled a multitude of Irish, and committed divers slaughters, devastations, and burnings, in the counties of Wexford, Kilkenny, Carlow, and Kildare, and would not make peace until his demand was satisfied, it was ordered that, to prevent further imminent danger and peril, the Viceroy should, out of his own money, advance one quarter of the sum demanded, and retain Art on behalf of King Richard

for one year. The Irish chiefs might now have found levying war against the English Government highly profitable, but for the poverty of the Dublin treasury. Murragh O'Brien advanced upon Leinster, whence, after some negotiation, he agreed to retire in consideration of one hundred marks. At this time there was in the Irish treasury no more than nine marks, and the balance was made up by borrowing the amount in the following manner:—From the Prior of the Hospitallers, sixteen marks; from William Fitzwilliam, a horse, price twenty marks; from John Fitz-Gerard, Master of the Hospitallers of Kilclogan, a horse and a cuirass, price twenty marks; from Robert Lughtburgh, a horse, price twenty marks; from John More, a bed, price thirty shillings; from Sir Patrick and Sir Robert de la Freigne, seven marks and ten shillings.

We now arrive at the celebrated expedition of Richard II. to Ireland, which is thus described by an English historian:—“The Irish rebels were, on their submission, taken under protection, and obtained a promise of a full pardon on payment of a proportionate fine. Richard, though he devoted much of his time to parade, did not neglect the reformation of the Government. Grievances were redressed, the laws enforced, tyrannical officers removed, and the minds of the natives gradually reconciled to the superiority of the English.” Lingard, vol. iii. 176.

As a rule, every successive English historian appears anxious to obliterate the records of English failure, and to tone down disasters until they assume the appearance of success. In the seventeenth century, Sir John Davis, then also attempting to represent this expedition in the most favourable light, tells the history of Richard’s Irish expedition as follows:—“This King committed the government

to such great lords successively as he did most love and favour: first, to the Earl of Oxford, his chief minion, whom he created Marquis of Dublin and Duke of Ireland; next, to the Duke of Surrey, his half-brother; and, lastly, to the Lord Mortimer, his cousin, and heir-apparent.

“ Among the Patent Rolls in the Tower, the ninth of Richard II., we find five hundred men-at-arms at twelve pence a piece per diem, appointed for the Duke of Ireland (De Vere) *super conquestu illius terræ per duos annos*. For these are the words of that record; but for the other two lieutenants, I do not find the certain number whereof their army did consist. But certain it is, they were scarce able to defend the English borders, much less to reduce the whole island. For one of them—viz., the Earl of March, was himself slain upon the borders of Meath; for revenge of whose death the King himself made his second voyage into Ireland, in the last year of his reign. For his voyage, in the eighteenth year of his reign (which was, indeed, a voyage-royal), was made upon another motive and occasion, which was this: Upon the vacancy of the empire, this King having married the King of Bohemia’s daughter (whereby he had great alliance in Germany), did, by his ambassadors, solicit the Princes Electors to choose him Emperor; but another being elected, and his ambassadors returned, he would needs know of them the cause of his repulse in that competition. They told him plainly that the Princes of Germany did not think him fit to command the empire, who was neither able to hold that which his ancestors had gained in France, nor to rule his insolent subjects in England, nor to master his rebellious people of Ireland. This was enough to kindle in the heart of a young prince a desire to perform some great enterprise. And, therefore, finding it no fit time to attempt France, he

resolved to finish the conquest of Ireland ; and, to that end, he levied a mighty army, consisting of four thousand men-at-arms, and thirty thousand archers, which was a sufficient power to have reduced the whole island, if he had first broken the Irish with a war, and after established the English laws among them, and would not have been satisfied with their light submission only, wherewith in all ages they have mocked and abused the state of England. But the Irish lords, knowing this to be a sure policy to dissolve the forces which they were not able to resist (for their ancestors had put the same trick and imposture upon King John and King Henry the Second), as soon as the King was arrived with his army, which he brought over under St. Edward's banner (whose name was had in great veneration amongst the Irish), they all made offer to submit themselves. . . . The men of Leinster—namely, Mac Murrogh, O'Byrne, O'Moore, O'Murrogh, O'Nolan, and the chief of the Kinshelaghes, in an humble and solemn manner did their homages, and made their oaths of fidelity to the Earl Marshall, laying aside their girdles, their skeins, and their caps, and falling down at his feet upon their knees, which, when they had performed, the Earl gave each of them *osculum pacis*.

“ Besides, they were bound by several indentures, upon great pains to be paid to the Apostolic Chamber, not only to continue loyal subjects, but that by a certain day pre-fixed, they and all their swordmen should clearly relinquish and give up unto the King and his successors all their lands and possessions which they held in Leinster, and (taking with them only their moveable goods) should serve him in his wars against his other rebels. In consideration whereof the King should give them pay and pensions during their lives, and bestow the inheritance of all

such lands upon them as they should recover from the rebels in any other part of the realm. And thereupon a pension of eighty marks *per annum* was granted to Arthur mac Murrogh, chief of the Kavanaghs ; the enrolment whereof I found in the White Book of the Exchequer here. . . .

“ These indentures and submissions, with many other of the same kind (for there was not a chieftain or head of an Irish sept, but submitted himself in one form or other), the King himself caused to be enrolled and testified by a notary public, and delivered the enrolments with his own hands to the Bishop of Salisbury, then Lord Treasurer of England, so as they have been preserved, and are now to be found in the office of the King’s Remembrancer there.

“ With these humilities they satisfied the young King, and by their bowing and bending, avoided the present storm, and so brake that army, which was prepared to break them. For the King, having accepted their submissions, received them in *osculo pacis*, feasted them, and having given the honour of knighthood to divers of them, did break up and dissolve his army, and returned into England with much honour and small profit (saith *Froissard*). For though he had spent a huge mass of treasure in transporting his army, by the countenance whereof, he drew on their submissions, yet did he not increase his revenue thereby one single pound, nor enlarged the English borders the breadth of one acre of land ; neither did he extend the jurisdiction of his courts of justice one foot further than the English colonies, wherein it was used and exercised before. Besides, he was no sooner returned into England, but those Irish lords laid aside their masks of humility, and scorning the weak force which the King had left behind him, began to infest the borders ; in defence whereof, the Lord Royer Mortimer, being then the King’s lieu-

tenant, and heir apparent of the Crown of England, was slain as I said before. Whereupon, the King being moved with a just appetite of revenge, came over again in person, in the twenty-second year of his reign, with as potent an army as he had done before, with a full purpose to make a full conquest of Ireland. He landed at Waterford, and passing from thence to Dublin, through the west countries of the Murroghs, Kinshelaghes, Cavanaghes, Birnes, and Tooles, his great army was much distressed for want of victuals and carriages. So as he performed no memorable thing in that journey, only in the Cavanaghes' county, he cut and cleared the paces, and bestowed the honor of knighthood upon the Lord Henry, the Duke of Lancaster's son, who was afterwards King Henry the Fifth, and so came to Dublin, where, entering into counsel how to proceed in the war, he received news out of England of the arrival of the banished Duke of Lancaster at Ravensburgh, usurping the royal authority, and arresting and putting to death his principal officers. This advertisement suddenly broke off the King's purpose, touching the prosecution of the war in Ireland, and transported him into England, where shortly after he rendered both his reign and his life. Since whose time, until the thirty-ninth year of Queen Elizabeth, there was not any army sent over of a competent strength or power to subdue the Irish; but the war was made by the English colonists only to defend their borders; or if any forces were transmitted over, they were sent only to suppress the rebellions of such as were descended of English race, and not to enlarge our dominion over the Irish."

Sir John Davis omitted to state that Richard's army, after its short campaign against M'Murrogh, reduced to utmost destitution, and entirely disorganized, only escaped by the fortunate arrival of the English fleet.

At the commencement of the fifteenth century, portions only of the four shires of Dublin, Meath, Kildare, and Louth, acknowledged the English jurisdiction. The three great lords of Kildare, Desmond and Ormond, acted as independent princes, excluding the royal interference. The colonists found the Statute of Kilkenny more irksome than beneficial. Constant licences were granted by the Crown to elude its enactments. The native Irish lived in complete independence of the English Government. As for the English residents within the Pale, their condition is thus described in Mr. Gilbert's valuable history of the Viceroys of Ireland:—

“ The internal condition of the settlement and manifold injustices perpetrated by the officials of the Colonial government or those under their control, tended to repel, rather than to attract the Irish towards the English system, as then administered. Many of the judges and chief legal officials of the colony were illiterate, and ignorant of law, obtained their appointments by purchase, and leased them to deputies who promoted and encouraged litigation, with the object of accumulating fees. Commissioners of Oyer and Terminer were multiplied, before whom persons were constantly summoned by irresponsible non-residents, to such an extent that no man could tell when he might be indicted or outlawed, or if a process had issued to eject him from his property. The King's officers often seized lands, and appropriated the results, as long as legal subterfuges enabled them to baffle the claims of the rightful proprietors, and thus agriculture and improvements were impeded. Ecclesiastics, lords, and gentlemen, were not unfrequently cast into gaol by officers of the Crown on unfounded charges, without indictment or process, and detained in durance till compelled by rigorous treatment to purchase their liberation. The agricultural settlers and landholders were harassed by troops

of armed kerns and mounted idlemen who levied distresses, maltreated and chained those who resisted, and held forcible possession of the farmers' goods, till redeemed by money. The troops engaged for the defence of the colonists became little less oppressive than enemies. Under the name of livery, the soldiers took, without payment, victuals for themselves and provender for their horses, and exacted weekly money payments, designated 'coygnes.' The constables of royal castles and the purveyors of the households of the Viceroy seldom paid for what they took; and for the purpose of obtaining bribes to release their seizures, they made exactions much more frequently than they needed.'

In the reign of Henry V., so rapidly did the colonists emigrate back to England that the English Parliament enacted that all Irishmen and Irish mendicant clerics should, for quietness and peace within the kingdom of England, and for the increase and filling of the land of Ireland, be voided out of the realm of England, under pain of losing their goods and being imprisoned during the royal pleasure.

The history of the feebleness of the English executive, and their fruitless efforts to maintain their hold upon the Pale, is fully exemplified by the legislation of the next two reigns, contained in the Irish Statute Book. The 25th Henry VI., chap. 24, is as follows:—“ For that that* now there is no diversity in array between the English marchers and the Irish enemies, and so by colour of the English marchers the Irish enemies do come from day to day to other into the English counties as English marchers, and rob and pill by the highways, and destroy the common people by lodging upon them in the nights, and also do kill the husbands in the nights, and do take their goods to the Irishmen, wherefore it is ordained and agreed that no

* *Sic.*

maner man, that will be taken for an Englishman, shall have no beard above his mouth, that is to say, that he shall have no hairs upon his upper lip, so that the said lip be once, at least, shaven every fortnight, or of equal growth with the nether lip. And if any man be found amongst the English contrary thereunto, that it shall be lawful for every man to take them and their goods as Irish enemies, and ransom them as Irish enemies."

The conduct of the Irish retainers of the members of the English executive is described in the next chapter of the Statute :—" Divers Irish enemies be many times received by lieutenants and justices of this land to become liege-men, and thereto are sworn to be loyal lieges during their lives, and after many times they do not perimplish the same, but do rob, burn, and destroy the King's liege-people, and the same liege-people, for fear to be impeached, dare not kill nor imprison the said enemies, nor take their goods nor chattels, whereby the said liege-people do take great hurt and hinderance."

The oppressions suffered by the inhabitants of the Pale appear in the recitals of the 28th Henry VI., chap. 1 :—" Whereas the marchers of the county of Dyvelin, and other marchers of sundry counties, and other men within the land of Ireland, do keep horsemen and footmen, as well Irish as English, more than they can maintain at their own costs, or upon their own tenants, and from day to other do coyne them upon the poor husbands and tenants of the land of Ireland, and oppress and destroy them, and namely, in time of harvest upon their corn and meadows, with their horses, both day and night, and the captains of the said marchours, their wives and their pages, certain times of the year do gather and bring withthem the King's Iri sh ene-mies, both men and women, and English rebels, with their horsemen and footmen, as well in time of war as of peace,

to night suppers, called cuddies, upon the said tenants and husbands, and they that are the chief captains of the said marchers do lead and lodge them upon one husband one hundred men, horsemen and footmen, some night, and upon one other tenant or husband so many one other night, and so every captain, and their wives, pages, and sons, as well as themselves, and every of them do lead and bring with them so many of the said Irish enemies and English rebels, with their horsemen and footmen, and so they espy the secrecy of the said land ; and after that every of the said marchers, and their wives, pages, and sons, have overgone the husbands and tenants of the said marchers in the form aforesaid, then they go to the captains aforesaid, and there the thieves of the said marchers do knit and confeder together. And that, that* the said marcheours thieves do steal in the English country, they do put out to them in the march, and in time of war the men of the said marcheours, as well horsemen as footmen, do guide the said Irish enemies and their thieves into the English country, and what tenant or husband will not be at their truce, they do rob, spoil, and kill, and for the most part the said land is wasted and destroyed. And if such rule be holden not punished, it is like to be the utter destruction and undoing of the said land.”

That the English Government had neither the means nor the inclination to preserve order, appears by the third chapter of the same Act, by which it intrusted to mere volunteers the maintenance of order and punishment of crime :— “ Whereas, thieves and evil-doers increase in great store and from day to other do increase in malice more than they have done hitherto, and also do cause the land to fall into decay and poverty, and waste every day more and

* *Sic.*

more, and so it is like to be confounded, if there should not be remedy. . . . It shall be lawful to every liegeman of our Sovereign Lord the King, all manner notorious and known thieves, found robbing, and spoiling, or breaking houses by night or by day, and thieves found with the manner, to kill them, and to take them without impeachment, arraignment, or grievance, to him to be done by our Sovereign Lord the King, his justices, officers, or any of his ministers, for any such manslaughter or taking."

This provision, not proving sufficiently stringent, it was enacted by the 5 Edward IV., ch. 2, as follows :—" Item, at the request of the commons, that for that that* divers great robberies, thefts, and murders be done from night to night by thieves upon the faithful liege-people of the King, within this land of Ireland, specially and most commonly in the county of Meath, which hath caused and made great desolation and waste in the said country. . . . It shall be lawful to all manner of men that find any thieves robbing by day or by night, *or going or coming to rob, or steal, in or out, going or coming*, having no faithful man of good name or fame in their company in English apparel, upon any of the liege-people of the King ; that it shall be lawful to take and kill those, and cut off their heads, without any impeachment of our Sovereign Lord the King, his heirs, officers, or ministers, or of any others, and of any head so cut, in the county of Meath, that the cutter of the said head, and his ayders there to him, cause the said head so cut to be brought to the Porttreffe of the town of Trim, and the said Porttreffe to put it upon a stake or spear upon the castle at Trim ; and that the said Porttreffe shall give his writing under the common seal of the said town, testifying the bringing of the said head to him. And that it shall be

* *Sic.*

lawful, by authority of the said Parliament, to the said bringer of the said head, and his ayders to the same, for to distrain and levy by their own hands, of every man having one plough-land in the barony where the said thief was so taken, two pence ; of every man having half a plough-land in the said barony, one penny ; and of every cottier having house and smoke, one half-penny ; and if the same Portreffes refuse for to give the said certificate by writing freely under his said common seal, then the said Portreffes to forfeit to the said bringer of the said head ten pounds ; and that he may have his action by bill or by writ, in whatsoever court shall please the bringer of the said head, for the said ten pounds, against the said Portreffes.”*

This Act, which is usually cited as evidence of the ferocity of the English Government, is the clearest proof of its absolute inefficiency. The Executive, unable to maintain order themselves, appeal to the unfortunate colonists, and license them in their own protection to fulfil the duties of a government which had abandoned its functions.

This feebly-forcible legislation did not check the incursions of Irish thieves, and for this purpose an Act was

* It may have been expected that this Act would work ; the remedy was summary, the remuneration moderate, and recoverable by the simple process of distress. As to the general working of such an Act, *vide* the trial of Whollaghan in A.D. 1798, before a Court-martial, presided over by Lord Enniskillen—“The real defence was, that the prisoner and his companions had been sent out with general orders from their officer to shoot anybody they pleased. The Court seemed to have been of opinion that such orders were neither unusual nor unreasonable ; and it is difficult to collect from their finding that they thought the prisoner had been guilty even of an error of judgment. They found ‘that the prisoner did shoot and kill Thomas Dogherty, a rebel ; but do acquit him of any malicious or wilful intention of murder.’” Massey’s Hist. of England, vol. iv. page 386.

passed in the celebrated Parliament held at Drogheda in A. D. 1494 : “ As the marches of four shires lie open, and not fensible in fastness of ditches and castles, by w^h Irishmen do great hurt in preying the same ; it is enacted that every inhabitant, earthtiller, and occupier in said marches, i.e. in the county of Dublin, from the water of Auliffy to the mountain in Kildare, from the water of Auliffy to Trim, and so forth to Meath & Uriel, as said marches are made & limited by an Act of Parliament, held by William, Bishop of Meath, do build and make a double ditch of six feet high above ground, at one side, or part w^h mireth* next unto Irishmen, betwixt this & next lammas, the s^d ditches to be kept up & repaired, as long as they shall occupy s^d land, under pain of 40^{s.},” &c., &c. This ditch was broken down by the Irish enemy, but subsequently repaired, “ to the great succour, comfort, and defence of the county Dublin.” For the maintenance of this formidable fortification, penalties were enacted against any subject who broke a tract or made a road over it, and that all hogs, goats, cows, or cattle, injuring it by rooting, grazing, or otherwise, should be confiscated and taken at the king’s price, the proceeds to be expended on the repairs of the wall.

The Government having no forces whatsoever to maintain order, the inhabitants, in self-defence, combined for that purpose. In 12th Edward IV., it was enacted that there should be a fraternity of arms of the number of thirteen persons of the most honourable and faithfully disposed in the counties of Kildare, Dublin, Meath, and Louth, three out of each county and four for Meath ; that they and their successors should assemble in Dublin every St. George’s day, and choose their captain for the next year, the captain and brethren to be created a society by the name of the

* *Sic.*

captain and brethren at arms ; the captain to keep one hundred and twenty archers on horseback, forty horsemen, and forty pages, to have for such purpose one twelve pence per pound out of all merchandize sold in Ireland, the fraternity to have power to make laws for the good governance of the society, and to elect a new brother in the place of any deceasing, and the captain to have power to apprehend all outlawed rebels that would not be justified by law.

The territories of the Pale having been, contrary to the provisions of the Statute of Kilkenny, gradually occupied by Irish, a feeble attempt was made by the Parliament to force these intruders to become English by Act of Parliament ; and it was enacted, by the 5th Edward IV., chap. 3, “ That every Irishman that dwells betwixt or among Englishmen, in the county of Dublin, Meath, Uriel, or Kildare, shall go like an Englishman in apparel and shaving of his beard above the mouth, and shall be within one year sworn the liegeman of the King in the hands of the lieutenant or deputy, or such as he will assign to receive this oath, *for the multitude that is to be sworn*, and shall take to him an English surname of one town, as Sutton, Chester, Trym, Skryne, Cork, Kinsale ; or colour, as white, black, brown ; or art or science, as smith or carpenter ; or office, as cook, butler ; and he and his issue shall use this name under pain of forfeiting of his goods yearly, till the premises be done, to be levied two times by the year to the King’s wars.”

Legislation of this nature was never nor could never be practically enforced, and such futile attempts at reform merely prove that the intruding Celts had already invaded the very heart of the English colony.

The regular assembling of the Irish Parliament became impracticable, if the law, that the proctors, knights, and burgesses, should be residents of the diocese, county, or

town for which they served, were longer enforced ; and by the 18th Edward IV., c. 2, it was enacted : “ The premises considered, and how great a distance and how great a peril it is of the King’s Irish enemies and English rebels, *as well by sea as by land*, and openly known how great mischiefs so oftentimes have been done in the ways, as well in the south part and the north, *as in the east* and in the west part of the said land, by reason whereof they may not send proctors, knights, citizens, or burgesses, according to the said acts and ordinances ; wherefore if any such acts be, it is ordained that such acts be void.”

In consequence of such enactments, or rather of the facts recited in them, the Irish Parliament dwindled into an assembly of the counties adjoining Dublin, and became a mere tool in the hands of the Government.

It is unnecessary to accumulate further evidence as to the character of the English Government in Ireland. It has been accused of violence and tyranny toward the Irish population. During this period at least it may be acquitted of such a charge, but convicted of faults much more serious—of imbecility, folly, and corruption. The stringent and ferocious Statutes, which, down to Henry VIII.’s reign, are to be found in our Statute Book, are evidence of fear and helplessness, not acts of overbearing force. If a capable Executive had existed in Dublin, marauders and thieves could not have infested the adjoining district ; they would either have abstained from such courses, or, if they had persevered, would have been hanged by the Government, and nothing said upon the subject. It was the helplessness of the Executive which, as a last resource, appealed to private violence for the repression of public disorder.

In the reign of Henry VI., Richard Duke of York was sent over to Ireland as Viceroy, not for the purpose of

maintaining the English Government, but rather in the hope of removing him from England by a colonial appointment, then equivalent to temporary exile. The duke, by his brilliant personal qualities, his moderation, and justice, acquired extreme popularity among the population, both English and Celtic, and attached to himself to a great extent, the nobility and chiefs of both nationalities. But from so fair a commencement flowed the misfortunes which gave the mortal blow to the Anglo-Norman colony.

When exiled from England in 1459, the Duke took refuge in this island, and sought in the Irish Parliament a support against the then dominant Lancastrian party. In this he fully succeeded. In opposition to the English attainder, he was formally acknowledged as Viceroy by the Anglo-Irish Parliament. Supported by the Duke's presence and authority, the Irish Parliament declared the complete independence of the Irish Legislature, and boldly affirmed those constitutional rights which, though involved in the existence of a separate Parliament, had not hitherto been categorically expressed. They asserted their rights to a distinct coinage, and their absolute freedom from all laws and statutes except such as were by the Lords Spiritual and Temporal, and Commons of Ireland freely admitted and accepted in their Parliament. They declared that no Irish subject was bound to answer any writs except those under the great seal of Ireland, and enacted heavy penalties against any officer who should attempt to put English decrees in force in Ireland. They, in fact, took the same position and laid down the same principles as the celebrated Parliament of 1782. The Irish lords proved their devotion to the house of York in the two fatal battles of Sandal Castle and Stoke, in the latter of which the flower of the colony perished, but not without honour.

The position of Henry VII. towards Ireland was peculiar. The colonists had shown themselves the most determined enemies of his house. He had no desire, therefore, even if he had the means, to support them against the Celtic population. It was his interest rather to cripple their power, and to crush out the independence of the Irish Parliament. With this view, the Deputy, Sir Edward Poynings, coerced the Parliament of the Pale to pass the celebrated Act of the 10 Henry VII., chap. 4, enacting that "No Parliament be holden hereafter in the said land (of Ireland), but at such season as the King's lieutenant and council there first do certify the King, under the great seal of that land, the causes and considerations, and all such acts as to them seemeth, should pass in this same Parliament; and such causes, considerations, and acts affirmed by the King and his council, to be good and expedient for that land, and his licence thereupon, as well in affirmation of the said causes and acts, as to summon the said Parliament under his great seal of England had and obtained; that done, a Parliament to be had and holden after this form and effect before rehearsed: and if any Parliament be holden in that land hereafter, contrary to the form and provision aforesaid, it be deemed void, and of none effect in law."

This, the most disgraceful Act ever passed by independent legislature, and wrung from this local assembly of the Pale, bound future Irish Parliaments for three hundred years. At the same time, all English Statutes then existing in England, were by the same Statute (chap. 22) made of force in Ireland. At the same time also it was enacted that the chief castles in Ireland should be committed exclusively to governors of the realm of England. The Irish Parliament was thus deprived of all initiatory power, and reduced to the position of French Parliaments, whose sole duty it

was to register the edicts of the Sovereign. English legislation was introduced *en bloc*, and the chief fortresses were secured to the Crown of England, or rather perhaps to the house of Lancaster.

An attempt was then made to govern Ireland through exclusively English officials, which met with the usual failure attendant upon such policy. The English King was determined to continue Lord of Ireland, but desired to avoid the expense of maintaining his position and the duties which it imposed upon him. The plan next devised was to commit the government of Ireland to the most troublesome and powerful noble, who, in consideration of his nominally acting as the King's lieutenant, was permitted at his own expense to conduct the government for the benefit of himself and his faction. The principle of this policy is pointedly put in the apocryphal story that when the Bishop of Meath concluded his charges against the Earl of Kildare, by declaring that all Ireland could not rule this Earl, the King replied, "Then in good faith shall the Earl rule all Ireland."

Hence arose the Geraldine supremacy, which with some interruptions lasted till A. D. 1534. So utterly perverted during this period was the government to the private purposes of the Geraldines, that in consequence of a personal feud between the Earl of Kildare and his son-in-law, Mac William of Clanricarde, the royal banner was carried at the battle of Knock-Tow; in which the De Burghs, the O'Briens, Mac Namaras, O'Carrolls and other southern chiefs were defeated by the combined forces of the Pale and the O'Reillys, Mac Mahons, O'Farrells, O'Donels, and other Northern chiefs.

The Geraldines, though brave and enterprising, courteous and generous, and possessing all the qualities which

ensure personal popularity, were totally devoid of any of the qualities requisite for the character of a statesman, and had no higher views than the maintenance of their position as chiefs of the most powerful Irish clan. The character and conduct of the Geraldines has lately been made the subject of contemptuous criticism by a well-known English historian; but if they were no better than he represents them, how great was the degradation and sin of the English Government, which purchased a nominal sovereignty by so gross a neglect of all its duties.

In A. D. 1534, the last Geraldine Viceroy, being summoned to London, left his son, Thomas "The Silken Lord," as Deputy in Dublin.

Suddenly, the report spread that the Earl had been executed in London. The executive was in the hands of a Geraldine, and the town was full of his followers. The English officials assembled in St. Mary's Abbey, not so much with the intention of dying at their posts, as devising how to save their lives and property. The Silken Lord resolved to disclaim his allegiance to the English Crown, and might, as the first step in such a course, have seized the castle and the capital; but, full of chivalrous, and perhaps theatrical ideas, he resolved to signalize his defection by some public and dramatic act. While the councillors sat in St. Mary's Abbey in doubt and terror, the young lord, followed by his adherents, burst into the chamber. He stood at the foot of the table, his followers flooded the hall. The Chancellor addressed them, with entreaties and arguments, imploring them to abandon their design. As none of the Geraldine retainers understood English, the oration was wasted upon them. For a moment Lord Thomas stood irresolute, but his Irish minstrel—the Irish minstrel of an English deputy—reminded him of the prowess and

honour of his house. The Lord Thomas flung to the ground the sword of state, abjured his allegiance to the English Crown, and rode forth into the country, amid the shouts of “Crom-aboo.”

Here ends the mediæval history of Ireland. The feeble reed upon which the English Government had lent pierced their hand. The miserable deceit of a nominal government, which had abdicated alike duty and power, was exploded for ever. The English rule in Ireland disappeared in a moment.

Three hundred and sixty-two years previously an English king “had turned his thoughts, in the proper spirit of a Catholic prince, to the object of widening the boundaries of the Church, explaining the true Christian faith to ignorant and uncivilized tribes, and exterminating the nurseries of vice from the Lord’s inheritance.” Upon which occasion Pope Adrian IV. had declared, “observing as we do the *maturity of deliberation and the soundness of judgment exhibited in your mode of proceeding*, we cannot but hope that *PROPORTIONATE SUCCESS* will, with Divine permission, attend *your exertions.*”

To what condition was Ireland reduced by the first three hundred and sixty-two years of English rule? I shall not myself attempt to describe it, nor shall I refer to any Irish author. The tale is told in the great document which stands first in the Irish State Papers of the reign of Henry VIII., “The State of Ireland, and the Plan of its Reformation.”

“Who list make surmise unto the King for the reformation of his Land of Ireland, it is necessary to show him the estate of all the noble folks of the same, as well of the King’s subjects and English rebels, as of Irish enemies. And first of all to make His Grace understand that there

were more than 60 counties, called Regions, in Ireland, inhabited with the King's Irish enemies; some regions as big as a shire, some more, some less, unto a little; some as big as half a shire, and some a little less; where reigneth more than 60 chief captains, whereof some calleth themselves Kings, some King's peers in their language, some Princes, some Dukes, some Archdukes, that liveth, only by the sword, and obeyeth unto no other temporal person, but only to himself that is strong; and every of the said captains maketh war and peace for himself, and holdeth by the sword, and hath imperial jurisdiction within his room, and obeyeth to no other person, English or Irish, except only to such persons as may subdue him by the sword—also the son of any of the said captains shall not succeed to his father, without he be the strongest of all his nation; for there shall be none chief captain in any of the said regions by lawful succession, but by fort mayne and election; and he that hath strongest army and hardiest sword among them, hath best right and title; and by reason thereof there be but few of the regions that be in peace within themself, but commonly rebelleth against their chief captain. Also in every of the said regions there be diverse petty captains, and every of them maketh war and peace for himself, without licence of the chief captain.

“Also, there be 30 great captains of the English folk, that followeth the same Irish order and keepeth the same rule, & every of them maketh war and peace for himself without any licence of the King or of any other temporal person, save to him that is strongest, and of such that may subdue them with the sword. Here followeth the names of the counties that obey not the King's laws, and have neither justice, neither sherriff under the King, the county of Waterford, the county of Cork, the county of Kilkenny,

the county of Limerick, the county of Kerry, the county of Connaught, the county of Ulster, the county of Carlow, half the county of Uryel, half the county of Meath, half the county of Dublin, half the county of Kildare, half the county of Wexford. All English folks of the s^d. counties be of Irish habits, of Irish language, and of Irish conditions, except the cities and the walled towns. Also, all the English folk of the said counties, for the more party would be right glad to obey the King's laws, if they might be defended by the King of the Irish enemies; and because they defend them not, and the King's deputy may not defend them, therefore they are all turned from the obeisance of the King's laws, and liveth by the sword after the manner of the Irish enemies: and though that many of them obey the King's deputy, when it pleaseth them, yet there is none of them all, that obeyeth the King's laws. Also, there is no folk daily subject to the King's laws, but half the county Uryel, half the county of Meath, half the county of Dublin, half the county of Kildare; and there be as many Justices of the King's Bench, and of the Common Pleas, and as many Barons of the Exchequer, and as many officers, ministers, and clerks in every of the said counties as ever there was, when all the land for the most part was subject to the laws.

“ Wherefore the said subjects be so grievously vexed daily with the said Courts, that they be glad to sell their freeholds for ever, rather than to suffer always the exactions of the said Courts, like as the freeholders of the Marches, where the King's laws be not obeyed, be so vexed with extortion, that they be glad in likewise to sell their lands and freeholds to such persons, that compelleth them, by means of extortion, to make alienation thereof, rather than alway to bear and be under the said extortion.

And so, what with the extortion of coygne and livery daily, and with the wrongful exaction of hosting money of carriage and cartage daily, and which with the King's great subsidy yearly, and with the said tribute and black rent to the King's Irish enemies, and other infinite extortion and daily exactions, all the English folk of the counties of Dublin, Kildare, Meath, and Uryell, be more oppressed than any other folk of this land, English or Irish, and of worse condition be they at this side than in the marches.

“ The premises considered the Pandar sheweth in the first chapter of his book, called ‘ Salus Populi,’ that the holy woman Brigitta, used to inquire of her good angel many questions of secret divine, and among all other, she inquired of what Christian land was the most souls damned ? The angel showed her a land in the west part of the world. She enquired the cause why ? The angel said for there the Christian folk dieth most out of charity ; she enquired the cause why ? The angel said, for there is most continual war, root of hate and envy, and of vices contrary to charity ; and without charity the souls cannot be saved. And the angel did show to her the lapse of the souls of Christian folk of that land, how they fell down into hell as thick as any hail shower. And pity thereof moved the Pandar to consign his said book, as in the said chapter plainly doth appear, for after his opinion this is the land the angel understood ; for there is no land in the world of so long continued war within himself, ne of so great shedding of Christian blood, ne of so great robbing, spoiling, praying, and burning, ne of so great wrongful extortion continually as Ireland. Wherefore it cannot be denied that the angel did understand the land of Ireland.

“ What might the King do more than he has done ? He

did conquer all the land unto little, and did inhabit the same with English folk, subject to his laws, after the manner of England, and so the land did continue and prosper 100 years and more; and since the land hath grown and increased near hand 200 years in rebellion against the King and his laws. Many folk doth enquire the cause why that the Irish folk be grown so strong, and the King's subjects so feeble, and fallen in so great rebellion for the more part.

“ What pity is it to hear, what ruth is it to report, there is no tongue that can tell, no pen that can write. It passeth far the orators, and the Muses, all to show all the order of the noble folk, and how cruel they enterith the poor common people, what danger is to the King anent God, to suffer the land whereof he bear the charge, and the care temporal under God, under the see Apostolical, to be of said misorder, so long without remedy; it were more honour and worship to surrender his claim thereto, and to make no longer persecution thereof, than to suffer his poor subjects always to be so suppressed, and all the noble folk of the land to be at war within themselves, in shedding of Christian blood alway without remedy. The herde must render account of his folk and the King for his.

“ Some sayeth that the prelates of the Church and clergy is much cause of all the misorder of the land; for there is no archbishop, ne bishop, abbot, ne prior, parson, ne vicar, ne any other person of the Church, high or low, great or small, English or Irish, that useth to preach the word of God, saving the poor friars beggars; and where the word of God do cease, there can be no grace, and without the special [*grace*] of God the land may never be reformed; and by teaching and preaching of prelates of the Church, and by prayer or orison of the devout persons in the same God useth always to grant his abundant grace; ergo the Church

not using the premises is much cause of all the said mis-order of this land."

Such was the condition of Ireland after more than three centuries of English so-called government.

In the twelfth century the Irish Celts were in a state of political disorganization, but they still had a feeling of nationality, and had the form at least of a national monarchy; and justice, criminal and civil, was administered among them according to a definite code of law; at the commencement of the sixteenth century there remained no tradition of national unity, no trace of an organization by which they could be united into one people; the separate tribes had been disorganized by civil wars, and the original tribesmen were supplanted and oppressed by the mercenary followers of the several rivals for the chieftaincies. The Celtic population had found the rule of England scarcely less injurious to them than the invasions of the Danes.

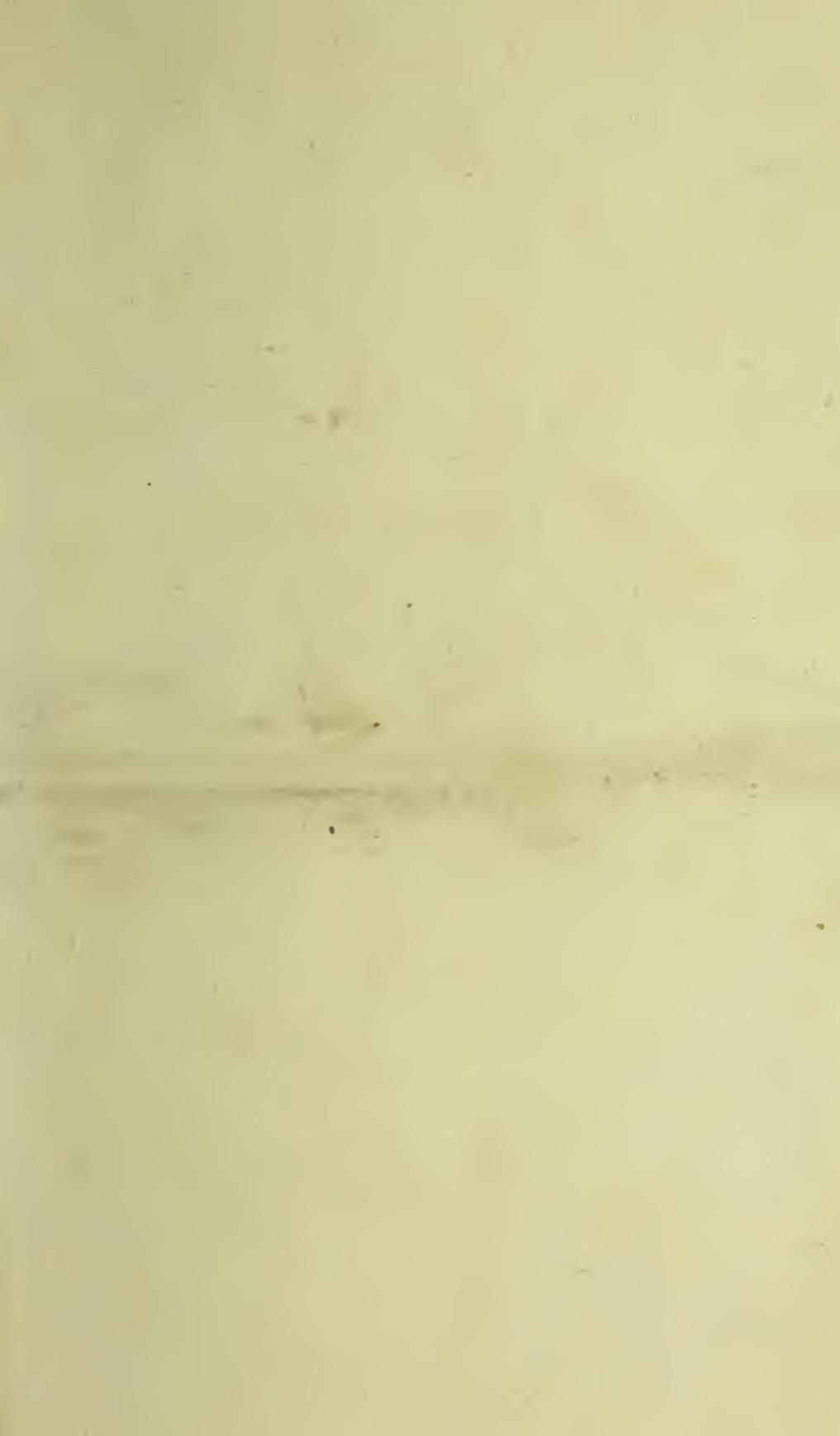
The Anglo-Normans, thwarted in their first attempts at colonization by the watchful jealousy of England, had been since subjected to constant injustice and oppression, and in a relapse to a lower political and social state, sought for personal security and freedom, and an escape from the exactions of an inefficient and corrupt executive. The Anglo-Saxon tenants of the first feudal lords had wholly disappeared; they had either fled back to England, perished in the constant warfare, to which they were exposed, or assumed the Irish dress and language. Of the many municipal and corporate towns established by the first settlers, most had been destroyed utterly; the residue had been reduced to an impoverished and ruinous condition.

Every trace of English government, save the miseries which it had caused, had passed away from Ireland. The

English King had no force in Ireland, nor any ally, save the hereditary enemies of the house of Kildare. The English conquest was confessedly a failure. The Anglo-Norman colony had disappeared, or been absorbed in the Celtic population. If the King of England were any longer to be Lord of Ireland, the conquest of the island must be commenced again. The Irish question rose before English statesmen—Was England to hold Ireland, and, if so, how? Long the Tudor princes shrunk from looking this difficulty in the face; they temporized, vacillated, and sought some middle course, some compromise. But the Irish question became at length (amid the complications of the sixteenth century) the question of English politics. England found that she must either conquer Ireland, or herself succumb in the struggle.

For years was this struggle protracted; year after year brought on both islands fresh sufferings and misery; new wrongs inflicted and endured. Until after unstinted expenditure of blood and treasure, England trampled under her feet alike Norman and Celt—the O'Neill and the Geraldine; and by the defeat—almost the annihilation—of the inhabitants of Ireland, obtained a brief respite in this struggle of races, so often apparently concluded, yet as often renewed.

THE END.





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